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ABSTRACT

The document reports findings on implementation of P.L. 94-142 (the Education for All Handicapped Children Act) in three local education agencies (LEAs) in State C, one of three states studied. An initial section discusses the conceptual model which was used to generate hypotheses, organize data, and analyze findings as LEAs implemented the major provisions of P.L. 94-142. In a second section, a brief description of the general state context in which the implementation process occurred at the LEA level is provided. Identified are major contextual and other variables which indicated the nature and extent of the state education agency influence over the LEAs. Finally, individual case studies of the three LEAs are presented. Considered for each LEA are the overall context in which the process is implemented, the specific activities and procedures used by the LEA to implement the major provisions, and the consequences and coping strategies which were observed over 2 school years. Findings are reported in the following areas: childfind, assessment, placement/least restrictive environment, individualized education program, and due process/parent participation. (SBH)

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FINAL REPORT
SUBMITTED TO USOE/BEH

# STATE C
# CASE STUDY OF THE IMPLEMENTATION OF P.L. 94-142

16 MAY 1979

EDUCATION TURNKEY SYSTEMS, Inc.

1030 FIFTEENTH STREET, N. W.
WASHINGTON, D. C. 20005

EC 12 15772

## PREFACE

As part of its overall evaluation strategy, the Bureau of Education for the Handicapped contracted with Education TURNKEY Systems, Inc. to conduct a series of case studies of the implementation of P.L. 94-142 during school years 1977-78 and 1978-79. These case studies were conducted in three states and in three local education agencies (LEAs) in each state. While the general findings and cross-site comparisons are presented in the Executive Summary, this Background Report focuses upon State C and the three LEAs which participated in the study.

This Background Report is organized as follows. First, we discuss the conceptual model which was used to general hypotheses, organize date, and analyze findings as LEAs implemented the major provisions of P.L. 94-142. Second, we then briefly describe the general state context in which the implementation process occurred at the LEA level. Here, we identify major contextual and other variables which indicate the nature and extent of the SEA influence over the LEAs. Last, individual case studies of the three local education agencies are presented. For each local education agency we describe the overall local context in which the process is implemented, the specific activities and procedures used by the LEA to implement the major provisions, and the consequences and coping strategies which were observed over the two school years.

In preparing this background report, we have taken every precaution to protect the anonymity of respondents and the participating LEAs. Each of the participating state education agencies and LEAs were given the opportunity to comment upon the report; where appropriate, comments were integrated into the respective documents. All findings in this report have been documented or otherwise substantiated through informal discussions, interviews, and review of extant documentation.

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# CHAPTER I

## INTRODUCTION AND BACKGROUND OF THE STUDY

In 1975, Congress passed and the President signed into law P.L. 94-142, the Education for All Handicapped Children Act. This law guarantees to every handicapped child the right to a "free appropriate public education," regardless of his/her handicap.

Many of the provisions of this new law are contained in earlier legislation (e.g., P.L. 93-380, Section 504 of the Rehabilitation Act of 1973). Among the demands placed on SEAs (and in turn on LEAs) are childfind, non-discriminatory assessment, the development of an individualized educational program (IEP) for each handicapped child, placement of each handicapped child in the least restrictive environment (LRE), and the provision of due process procedures. All these provisions, except the IEP requirement, were contained in prior legislation.

The Bureau of Education for the Handicapped (BEH), U.S. Office of Education, has the responsibility for overseeing the implementation of P.L. 94-142. To carry out this responsibility, BEH has engaged in several activities to assist the states and to assess the initial impact of the Act. For example, the Bureau developed a series of multi-media packages designed to explain P.L. 94-142 to parents, to administrators, and to general audiences.

BEH also sponsored a series of studies on the initial impact of P.L. 94-142, including a four-state study of IEPs. The Bureau funded several multi-year studies of the first years of the implementation of P.L. 94-142: a four-year longitudinal study and this Case Study of the Implementation of P.L. 94-142.

The primary purpose of this Case Study is to identify and to explain to the greatest extent possible the consequences and effects of the implementation of P.L. 94-142 in nine LEAs selected from three states. The general questions addressed in the study are:

1. What are the consequences and effects of the implementation of P.L. 94-142 at the local level?

2. Which consequences can be attributed to P.L. 94-142 and which to SEA policies or other factors?
3. To what extent can consequences be explained by SEA and LEA contextual variables and by process/implementation variables?
4. Are there patterns of implementation of the major provisions of P.L. 94-142? In what orders are major provisions implemented, given that full implementation will not occur immediately?
5. What is the nature and extent of unintended consequences of the implementation of P.L. 94-142?

The three states were selected to provide variation in state progress toward full implementation of the Act; the LEAs were chosen to be representative of urban, suburban, and rural districts within each of the states. This Case Study provided rich data from a wide variety of settings on the consequences of implementation, which will be useful to both Congress and BEH.

To organize our collection and analysis of data, we have developed a model of the implementation process, which we present in the next section of this report. The descriptive information included in the remaining chapters of this report generally follow the conceptual model of implementation.

## A Model for Assessing the Implementation of P.L. 94-142.

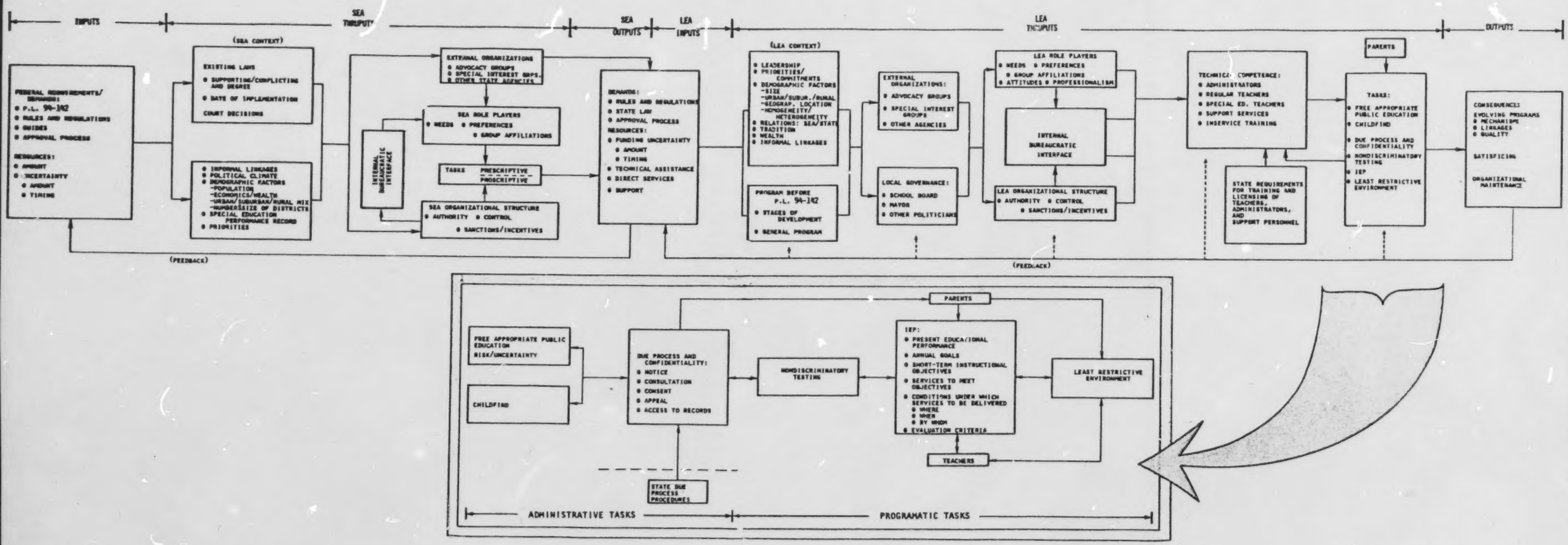
The model that we developed and modified over the period of the study served several purposes: (1) it provided a framework for our analyses; (2) it provided a basis for generating study questions and hypotheses; and (3) it allowed us to identify the relevant variables affecting implementation. This model is similar to the one developed by Milstein (1976) to explain Federal-state interactions. We have drawn upon the work of Easton (1965), Kirst (1972), Murphy (1971, 1973, 1974), Bailey and Mosher (1968), Weatherley and Lipsky (1977), and others in developing our model, which is presented in Exhibit 1.

This model includes elements external to the SEA and LEA, as well as internal elements of these systems. Van Meter and Van Horn (1975) note that economic, social, and political conditions "may have a profound effect on the performance of implementing agencies," although "the impact of these factors on the implementation of policy decisions has received little attention" (p. 471).

## The SEA Implementation Model

Although the focus of this case study was on the consequences of implementation

# CONCEPTUAL MODEL FOR THE IMPLEMENTATION OF P.L. 94-142



at the LEA level, an LEA's reactions to P.L. 94-142 will to a great degree be determined by how the SEA reacts to the law, by the demands the SEA places upon the LEA. We therefore have included the SEA as a major component of our model.

Inputs

Inputs to the SEA from the Federal level include demands and resources. The demands include the law (P.L. 94-142), the regulations drawn up by BEH, and the approval process. The resources are primarily the funding that goes from the Federal government to the states.

The Law and Regulations. P.L. 94-142 includes a number of provisions that must be adhered to by both SEAs and LEAs. These stipulations include:

- assurance of extensive child identification procedures;
- assurance of the "full service" goal and a detailed timetable;
- a guarantee of complete due process procedures;
- the assurance of regular parent or guardian consultation;
- maintenance of programs and procedures for comprehensive personnel development, including in-service training;
- assurance that special education will be provided to all handicapped children in the least restrictive environment;
- assurance of nondiscriminatory testing and evaluation;
- a guarantee of policies and procedures to protect the confidentiality of data and information;
- assurance of the development of an Individualized Educational Program for each handicapped child;
- assurance of an effective policy guaranteeing the right of all handicapped children to a free, appropriate public education, at no cost to parents or guardian; and
- assurance of a surrogate to act for any child when parents or guardian are either unknown or unavailable, or when said child is a legal ward of the state.

The SEA is responsible for monitoring compliance by its local school districts with respect to these various stipulations. The U.S. Commissioner of Education has corresponding monitoring responsibilities viv-à-vis SEA compliance.

Final regulations for P.L. 94-142 were published in August 1977; additional regulations concerned with the definition of learning disabilities were published in December 1977. These various regulations interpret the law for SEAs and LEAs, and detail procedures that must be followed, e.g., in developing IEPs, for due process, etc.

The Approval Process. Each SEA must submit a detailed Annual Program Plan to BEH; this plan must be approved before Part B funds are passed on to the state. The Plan must included several elements, including assurances to the U.S. Commissioner of Education that the state is following policies and procedures that will guarantee to each handicapped child a free, appropriate public education. BEH action on the Annual Program Plan for a state can range from rejection to parital or full approval.

Resources. P.L. 94-142 provides Federal funds to SEAs and LEAs based on the number of handicapped children from age 3 to age 21, multiplied by a percentage of the national average per pupil expenditure for elementary and secondary education. This percentage authorization increases from 5% for the 1977-78 school year to 40% for the 1981-1982 school year and for each year thereafter. Entitlement Legislation, however, has not ensured that the necessary funds will be appropriated by Congress.

During the 1977-78 school year, 50% of the funds that went to a state were passed through to LEAs; in subsequent years, 75% will be passed through. The SEA share may be used to provide direct services, but only 5% (or $200,000, whichever is greater) of the total may be retained by the state for administrative costs. Services must be provided to priority one children (those not currently served) and then to priority two children (those severely handicapped children who are inadequately served).

Funds provided under Part B can be used only to cover the excess costs of educating handicapped children, and cannot be used to supplant funds already available at the SEA or LEA level, unless the SEA can satisfactorily demonstrate to BEH that all handicapped children in the state are receiving "adequate" educational services; in this latter case, Part B funds may be used to supplant SEA and LEA funding.

Although the entitlement formula is quite clear, there continues to be uncertaintly about the specific amount to be appropriated and allocated, particularly during the early stages of implementation.

SEA Contextual Variables

Differences among states in providing education and related services to the handicapped are perhaps greater than for any other area of education. These differences can be explained to some degree by a number of contextual variables at the state level; state law, and political, economic, and social variables.

State Law. Almost all states have passed legislation that is similar to, if not identical with, P.L. 94-142. In some states, legislation was passed in anticipation of the implementation of P.L. 94-142; in other states, legislation preceded passage of the Federal law. We would expect that implementation of P.L. 94-142 would be facilitated in states where the law is very similar to the Federal law. Three factors limit this hypothesis, however. First, state legislatures may be unwilling to appropriate sufficient funds to implement the state law fully. Second, state laws may not be comprehensive enough, or may actually conflict with other state statutes. Third, implementation of P.L. 94-142 will not be facilitated if the state law will not be fully implemented for several years after the Federal law becomes effective. Court decrees can drastically alter a state's approach to educating the handicapped or can speed up a timetable for implementation of the state law.

Political, Economic, and Social Variables. Demographic factors will exercise a great deal of influence on the implementation process. States dominated by suburban districts, for example, will operate differently from those dominated by urban or rural districts. Wealthy states will provide different services from poorer states. States with large minority populations have different problems to face compared with states with small minority populations.

One very important factor at the state level is the informal linkages, both between the Federal government and the SEA and within the state government. Another very important factor is the political climate in the state--the role of the governor and the state legislature and their influence or authority over SEA. In many states, the governor appoints the state board of education; in others, the board is elected. In some states, the state superintendent is appointed by the board, in others elected state-wide, and in still others appointed by the governor.

Two final contextual variables will influence a state's implementation of P.L. 94-142; the state's prior performance in special education and the state's priorities. What a state has done in special education may have little

to do with the state law; a law that mandates education for the handicapped but that is not enforced or funded will not lead to quality services to the handicapped. A state's priorities will also affect services to the handicapped; a state can emphasize or de-emphasize special education, and it can stress different provisions of P.L. 94-142 to be implemented.

SEA Thruputs

The implementation process is greatly affected by external influences on the SEA, by the SEA's organizational structure, and by the SEA role players.

External Organizations. The influence of advocacy groups on special education will vary greatly among states, as reflected in the evolution of state laws and policies over the past decade. In some states, for example, the Association for Retarded Citizens may be the most active group; in other states, the Association for Children with Learning Disabilities will be active. The influence of these groups will be felt formally through such activities as lobbying and informally through professional associations and personal relationships with SEA role players.

Special interest groups can also be very influential at the state level. The most important of these are likely to be teachers' or administrators' unions; taxpayers' associations may also be very active. Parent groups separate from the various advocacy groups can be important at the state level.

A third major external force at the state level are other state agencies that have in the past provided services to the handicapped; these might include departments of mental health, mental retardation, human services, etc. P.L. 94-142 requires the SEA to supervise all educational and related services provided by these other agencies. These other agencies may seek to retain control over their traditional functions. Some states have created new "LEAs" within these agencies to meet the supervisory requirement of the Federal law. One effect of this may be an actual reduction in services to the handicapped in the short run as state agencies reduce such services because the SEA has the legal responsibility to provide the services. The SEA, however, may not have the authority or the resources to meet these responsibilities.

SEA Role Players. The roles of SEA officials involved in the implementation of P.L. 94-142 will be influenced by several factors: by both subordinate

bureaucratic tendencies and superordinate leadership and management, as well as by individual needs, preferences (when discretion is allowed), affiliations, and professionalism.

Professional ties are extremely important in special education, perhaps more so than in almost any other area of education. This has led to distinct divisions in state bureaus and to the establishment of informal networks that function within the formal structure.

The tremendous growth of special education in recent years has resulted in the concomitant growth of relevant agencies at the state level, which in some instances has threatened other bureaucracies within the SEA. The great demands of P.L. 94-142, coupled with growing resources, have given SEA special education personnel even greater opportunity to use their discretion in determining priorities.

Group affiliations in special education tend to form along lines of expertise rather than function (e.g., learning disabilities specialists, speech therapists, etc.). These coalitions have a great impact in inter- and intra-agency bargaining for resources.

SEA Organizational Structure. The authority of the SEA to carry out its responsibilities under P.L. 94-142 may be limited by law or by tradition. The SEA's relationship with other state agencies may be ambiguous, and there may be no mechanism to coordinate services to the handicapped at the state level unless informal structures exist.

Structures for implementing P.L. 04-142 may range from existing divisions to newly-created units; the former situation prevails in most states. Here, risk aversion, the use of standard operating procedures, and bargaining among coalitions explain much of the implementation process.

SEA control structures range from regulations to program and financial audits of LEAs. The zeal with which such governance is pursued varies from state to state, however, if for no other reason than that the amount of Federal funds going to LEAs under the Act is small relative to the amount of state and local funds being used to finance the education of the handicapped. The SEA's ability to control the LEAs also varies; traditional concepts of superior-subordinate do not apply here because we are dealing with independent organizations, not with individuals within an organization (see Van Meter & Van Horn, 1975).

SEA governance over LEAs is further influenced by the sanctions the SEA perceives the Federal government can and will impose upon the state.

Outputs

The outputs from the SEA level are of two types, demands and resources. These outputs in turn become the inputs to the LEA level, and are discussed in the next section.

The LEA Implementation Model

Inputs

The inputs to the implementation process at the LEA level include the outputs from the SEA level: the state law (discussed above), regulations, and the approval process; and funding, technical assistance, direct services, and general support.

Demands. The states make demands of their LEAs in the form of regulations and the approval process. Regulations will affect several of the tasks required of the LEAs under the Act; these will be dealt with below (e.g., IEPs, LRE, etc.). An LEA must apply to the SEA for approval of its program for the handicapped before it receives any funds under P.L. 94-142.

Resources. One of the strongest influences upon an LEA's provision of education for the handicapped is the state funding formula. An LEA will typically receive funds from the state based on the number and/or types of children it has receiving special education services. Some funding formulae encourage mainstreaming, others, self-contained special classes. In the latter case, fiscal incentives could conflict with the LRE requirements of P.L. 94-142.

The technical assistance provided by the SEA to LEAs will affect some aspects of local implementation. If the SEA is unable or unwilling to provide such services, however, this will place another burden on the LEA, which will either have to obtain this assistance from other sources or do without.

The state also provides direct services, e.g., it maintains institutions for various types of handicapped individuals. Typically, these institutions will serve severely and/or multi-handicapped individuals.

Another very important resource provided by the SEA is general support for the LEAs. If a local director of special education services, for example, cannot obtain necessary local resources to maintain a particular program, the SEA's intervention with the local superintendent may be instrumental in obtaining these resources.

LEA Contextual Variables

Although state law may mandate education of some or all handicapped children, the actual services provided to these children will vary greatly from one part of the state to another, depending upon a variety of contextual factors.

Program Before P.L. 94-142. LEAs vary greatly in the proportion of their total enrollments receiving special education services. These differences in service rates, however, do not mean that the quality of services is inappropriate to the community. The incidence of handicapping conditions varies greatly across communities. How P.L. 94-142 is implemented at the LEA level will depend in large measure upon the match between the existing local programs and the requirements of the Act, as filtered through state rules and regulations. If the existing program substantially meets the requirements of P.L. 94-142, implementation will be relatively smooth and successful. If there is a great deal of disparity between the program and the Act, however, implementation will be difficult and probably incomplete. As Wilken and Callahan (1976) noted, "Achieving a better match between special education needs and services depends heavily on the willingness of law-makers to develop public policy which is much more sensitive to variation in the ability and inclination of localities to educate the handicapped" (p. 7; emphasis added).

A district's special education program generally goes through three major stages of development as it is implemented. First, an LEA will establish the mechanisms required by the legislation. In the case of P.L. 94-142, this stage includes setting up childfind procedures, assessment procedures, placement committees, etc. Second, linkages between special education services and other segments of the school system will be established. Resource room teachers will coordinate their efforts more closely with those of regular classroom teachers, for example. Communications with other divisions within the LEA (e.g., remedial reading, Title 1, vocational education, etc.) will occur. These first two stages are essentially concerned with developing new organizational structures. Third, there will be a focus on the quality of individual children's programs. In this stage, staff are concerned with the relationship between programming and a child's needs. The degree to which an LEA implements P.L. 94-142 depends to a great extent on the stage of development the existing special education program was in before implementation.

Political, Economic, and Social Variables. Many local characteristics affect both the quantity and the quality of special education services provided by the LEA. One important variable is the public schools priorities and commitment to educating the handicapped. Some communities, for example, view this as a private, rather than a public, responsibility.

The size and type of a district will have a tremendous influence on its education of the handicapped. Some small districts may have a great deal of difficulty in implementing P.L. 94-142, primarily because they have small numbers of handicapped children. It will not be economically feasible for such districts to hire the trained personnel needed to educate these children. Some large, inner-city LEAs may also have difficulty in implementation because of the very large numbers of handicapped pupils in these districts and the limited resources available to educate them. Many urban districts are faced with eroding tax bases, rising labor costs, and shrinking rather than growing budgets. Such districts also have very large bureaucratic structures in which children may become "lost" for varying periods of time.

Closely related to the size of an LEA is the type of community it serves: urban, suburban, or rural. Other things being equal, "smoother" implementation of P.L. 94-142 can be anticipated in suburban districts. The reasons for this are found in many of the other variables that operate at the local level: size, wealth, the influence of external groups, and the professionalism and organizational structure of the LEA. Suburban districts are usually neither too small nor too large; they are generally wealthier than are most rural or urban districts; parents of the handicapped tend to be relatively well educated and well organized; there is a high degree of professionalism among LEA personnel; and the lines of authority and responsibility within the LEA are clearly drawn in most cases.

The homogeneity of an LEA is a very important determinant of special education services in some states. Wilken and Callahan (1976) found that in Maryland, for example, differences in district wealth had a far less pronounced effect on special education services than in Massachusetts. School districts in the former are county-based; hence, local differences in special education services tend to be washed out. In the latter, on the other hand, districts are relatively small and homogeneous; differences between districts therefore

tend to be emphasized.

Wealth and tradition also explain the type and quality of services provided to the handicapped. Wealthier districts generally will provide more and better services than will poorer districts, although there are many exceptions to this rule. If a district does not have a tradition of educating the handicapped, programs will be limited during the initial stages of implementation of P.L. 94-142 than if the district has such a tradition. LEA leadership will be instrumental in the former case: if superintendents and other administrators are committed to special education, programs will probably be established more quickly than if there is no such commitment.

Informal linkages are as important at the LEA level as they are at the SEA level. Communications within the LEA and between the LEA and other agencies are necessary if services are to be provided to the handicapped; such communications may be more effective if they are informal than if they are formalized.

LEA Thruputs

Implementation of P.L. 94-142 at the local level is affected by a number of thruputs: external influences, local governance, LEA role players, LEA organization structure, the technical competence of the LEA, and the specific tasks required under the Act.

External Organizations. External organizations (advocacy groups, special interest groups, and other local agencies) will often have a greater impact on the LEA than they do on the SEA. Local branches of advocacy groups (e.g., Associations for Retarded Citizens) may exert pressure on the LEA to provide full services for handicapped children. These groups can also provide assistance to the LEA, particularly in placing handicapped children outside the LEA or in providing supplementary resources for those children whose primary placement is within the LEA. In some districts, these groups actually operate programs for the handicapped.

Teachers' unions also influence relevant decisions made by the LEA. Union contracts often specify such things as maximum class size and salaries of teachers, both of which serve to limit the resources available to the LEA; the number of handicapped children who can be placed in a single regular classroom; and additional preparation time and in-service training for teachers who have such children in their classes.

Parents of handicapped children are also a strong influence on the education of the handicapped at the LEA level. Other groups of parents may also exert pressure at the building and classroom levels to increase the services provided to nonhandicapped children, e.g., to provide more individualization. Local level educators may be faced with conflicting demands for scarce resources.

The non-public school sector, including church-related schools, may also be an important influence on LEA decision-making if they provide services to the handicapped. These schools will compete with the LEA for community resources.

Other local agencies will also have an effect on the LEA's provision of services to the handicapped. Such agencies traditionally have provided many services to different groups of handicapped children (e.g., the local mental health unit may provide therapy and other services for emotionally disturbed children). Because the LEA now has the legal responsibility for these children services that were previously provided at "no cost" to the LEA could be withdrawn or charged to the LEA.

Local Governance. Local government will influence not only the LEA organizational structure but also the LEA role players. Local politicians can pressure the LEA to improve services; they can also support an LEA's efforts in the face of opposition from outside groups. The local government generally has the responsibility for raising money to finance education, and hence can control to a greater or lesser degree both the structure and the personnel of the LEA.

LEA Role Players. Many of the statements made above about SEA role players can be applied to LEA role players. An individual's needs, preferences, professionalism, group affiliations, and attitudes will all influence performance.

Administrators' career goals and preferences can have great impact on how P.L. 94-142 is implemented. Their exposure to special education will greatly influence their preferences when discretionary choices have to be made about educating the handicapped generally or about individual handicapped children. Administrators who understand the problems of the handicapped will tend to be disposed to making decisions that will aid such children. Of course, this can work to the advantage of some children at the expense of others. As

Weatherley and Lipsky (1977, p. 194) found, LEAs often evaluated and placed children whose handicaps allowed local personnel to practice their specialties. Thus an administrator with a background in evaluating and educating the retarded might push services for retarded children while possibly ignoring children with other handicaps.

The professionalism of LEA role players affects both the quality and the quantity of special education services. Trained, committed personnel will direct their energies toward providing quality services, but inadequatley - trained personnel may be unable to do so.

Informal group affiliations at the LEA level will influence the type of services that are made available to the handicapped. If special education personnel are well integrated with "regular" components of the LEA, role players' affiliations will be less likely to be based exclusively on their specialization; hence they will be able to call upon other LEA personnel to provide services to the handicapped. If special education is segregated from the other components of the LEA, however, informal links will tend to be strongest among special education personnel, who will thus not have easy access to other services for the handicapped. Communications will often be easier in this latter case with external groups than with other elements of the LEA.

LEA Organizational Structure. The LEA organizational structure operates with the role players to effect the implementation of P.L. 94-142. In general, this authority structure is designed, as it is at the SEA level, to reduce uncertainty, to assure equitable resource allocation, and to facilitate the accomplishment of procedural tasks. Elements of this structure may be more susceptible to external pressures at the local level than at the state level, particularly in the allocation of resources. School budgets are subject to the approval of an agency outside the LEA, either the local governing unit (e.g., the city council) or the voters. This is the ultimate form of control at the local level.

The superintendent is a vital element in the education of the handicapped; he/she makes many of the resource allocation decisions in the district. This may become a factor in the implementation of P.L. 94-142, especially if the superintendent has to take resources away from existing programs to meet the mandates of the Act.

How the LEA complies with the provisions of P.L. 94-142 will also depend upon the perceived SEA sanctions and incentives for compliance, much as SEA

compliance depends in part on perceived sanctions and incentives emanating from the Federal level. During the first year of implementation (1977-78), about #35 per handicapped child was allocated to LEAs, which may not regard the loss of these funds as a major sanction. As the money flowing to the LEAs increases, however, the possible cutoff of funds will become an important incentive to compliance.

States often lack the machinery to enforce policies at the LEA level. A state may not have uniform accounting systems or, if it does, it may not have sufficient personnel to monitor LEA expenditures for special education services. The threat of lawsuits by parents or advocacy groups may more effectively serve as a sanction against non-compliance for many LEAs, particularly where parents have easy access to lawyers.

LEA Technical Competence. An LEA's "technical competence" will greatly influence the implementation of P.L. 94-142. This comprises administrators, the staff of regular teachers and special education teachers, the support services available (e.g., psychologists, audiologists, etc.), and the amount and quality of in-service training available.

Although an LEA's technical competence is in large part influenced by the amount of money the district has available to spend for qualified personnel, other factors over which an LEA has no control are relevant. One is the quality of teacher training institutions in the state and whether the programs in these institutions provide the training that LEAs require to implement P.L. 94-142. Another factor is SEA requirements for teacher and administrator training and licensing. It is "easier" to become a teacher in some states than in others.

LEA Tasks. P.L. 94-142 mandates specific tasks that must be performed; although the SEA has de jure responsibility for carrying out these tasks, they have become the de facto responsibility of the LEA. The tasks can be roughly classified as administrative and programatic, the distinction being that the latter directly affect the services that will be made available to the child:

Administrative

- free appropriate public education
- childfind
- due process and confidentiality

Programmatic

- nondiscriminatory testing
- Individualized Education Program
- least restrictive environment

Outputs

Four major outputs can be identified at the LEA level: consequences, an evolving program, "satisficing," and organizational maintenance. Over time, the special education program will change, moving to higher stages of development. The LEA will not be able to consider all alternative courses of action to implementation of P.L. 94-142 and then choose the one alternative with the most favorable consequences. Rather, the LEA will select that course of action that is "good enough," i.e., that satifices (see Allison, 1971, p. 72). The LEA will also be concerned with maintaining itself as an organization. That is, school district personnel are unlikely to make decisions whose end result will put the LEA or a part of it "out of business."

The consequences, which we have classified into four categories--resource allocation/utilization, organizational structure/administration, roles/behaviors, and attitudes/perceptions--are the primary focus of this Case Study.

Utilization of the Model

The model presented in the preceding pages is an explanatory, rather than a research, model. It provided the basis for our study questions, and also provided a framework for our analysis of the data from the different sites.

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CHAPTER II
STATE C

## The Context

### Demographic Characteristics

Population. State C is a medium-size state; its population was slightly greater than 4.1 million, which was in the second quartile of states. The population has been increasing since the 1940's, but the rate of growth has been decreasing. State C's population is fairly dense -- almost 420 residents per square mile.

There were about 830,000 blacks in State C in 1975, approximately 20% of the total population, which is considerably above the national average of 11.5%. There were also about 42,000 members of other minority groups in 1975.

Urban/suburban/rural mix. There is one urban district in State C, four suburban, and about 20 rural, based on Census Bureau definitions. Approximately 85% of the population lives in metropolitan areas, which include the urban area and associate suburban areas. The remaining 15% live in nonmetropolitan areas.

Wealth. State C is a wealthy state. Its 1976 per capita income of over $7,000 ranked among the top ten states. State C also has a low poverty rate: 7% in 1975, compared to 11.5% for the country as a whole.

There is a tremendous range in wealth among the districts in State C, however. Assessed valuation per pupil in 1977 ranged from less than $18,900 to almost $84,500; the average value for the whole state was about $34,500.

School enrollments. There were about 837,000 pupils enrolled in the 1,350 public schools of State C in 1977-78. An additional 133,600 were enrolled in private schools, primarily church-related. Public school enrollment in State C peaked in 1971-72, and has been declining ever since. Enrollment in 1977-78 was approximately what it had been in 1967-68.

School expenditures. Total expenditures for the public schools in State C were $1.46 billion in 1976 and $1.49 billion in 1977. About 55% of these monies came from local sources (about $821 million), 40% from state sources ($593 million), and less than 6% from Federal sources ($85 million) in 1976. The statewide per pupil expenditure in 1976 was $1,828, with a range from less than $1,400 to slightly more than $2,300.

School districts. State C has about 25 school districts. These districts range in size from fewer than 3,500 pupils to over 165,000, and from eight schools to 230 schools.

## Governance

Governor/executive branch. The governor (and the executive departments) in State C have traditionally had much control over the state budget and hence over state expenditures for education. The former governor was one of the chief spokesman for education in the state over the past two decades. In 1975, the previous governor appointed a commission to study the problems of funding education for the handicapped. This commission issues two reports. Most of the recommendations contained in the first report have been enacted into law; the recommendations of the second report, which focused on interagency coordination, were not acted on during the 1978 session of the legislature.

Located within the governor's office is a state office for coordinating services to the handicapped; it was established in 1977. The legislation that established this office also created a state advisory council on the coordination of services to the handicapped.

Legislature. The agency prepares the budget; the legislature must approve and may reduce budget requests. There are two houses in the legislature. There are no education committes in either house, only sub-committes of the budget committee.

State board of education. State C has a nine-member state board of education. Members are appointed by the governor for overlapping five-year terms. The present chairman headed the governor's commission on the funding of education for the handicapped, and has been active in state party politics.

## Legal Environment

State law. State C's special education law was passed in 1973; full implementation will occur in 1979. Special education is now mandatory for all handicapped children from age 6 until age 20. Service to children aged 0to 5 will be phased in by September 1979. Severely handicapped children are included under the protection of the law.

Rules and regulations. The State C state board of education adopted new regulations in spring 1978 to bring state special education practices into confirmity with P.L. 94-142 and Federal regulations; these state regulations became effective in May 1978. Least restrictive environment is defined as including the appropriate age, developmental, and instructional level; the needs of other children in the classroom may be considered in determining a handicapped child's placement. Six different levels of speical education service are defined, as discussed in more detail below. Private placements must be approved by the SEA. The regulations identify nine different points of parental involvement in the special education process, and establish a fairly rigid timeline for screening, assessing, and placing handicapped children and for developing IEPs. Hearings (except in the instance of private placements) are initiated at the local level and then proceed to the state level if necessary.

Special Education Performance Record

Programs and services. Services to handicapped children in State C are defined by six levels of service:

- Level I -- for children with special needs who can be served in the regular classroom;
- Level II -- for children with special needs who receive not more than one hour per day of instruction outside the regular classroom;
- Level III -- for children with special needs who receive not more than three hours per day of instruction outside the regular classroom;
- Level IV -- for children with special needs who are served primarily in special classes within general education facilities;
- Level V -- for children with special needs who are served exclusively in separate day settings; and
- Level VI -- for children with special needs who are served exclusively in separate residential facilities.

All programs are appropriate to the development and educational needs of the pupils. Over 10 categories of handicapping conditions are defined in the state regulations. Children are not assigned to program or service level by category of handicapping condition.

Enrollment. There was a total of approximately 85,600 handicapped children, age birth through 21, receiving special education and related services during the 1978-79 school year. The largest number of handicapped were specific learning disabled, about 42,000, with speech and language impaired the second largest group, about 22,500, and mentally retarded the third largest group, about 11,000 children. The remaining 10,000 children had major handicapping disabilities in a number of different categories including hearing, visual, emotionally impaired, orthopedic, multi-handicapped, and deaf/blind.

Expenditures. State expenditures for special education in State C increased from $27 million in 1972 to $41 million in 1975 (an increase of over 50%) to $54 million in 1976 (an additional increase of 35%). Over $54 million was budgeted for the 1978-79 school year; this will increase to $70 million for the 1980-81 school year.

Annual Plan. State C's Annual Plan for 1977-78 was initially approved for first-quarter funding. The 1978-79 Plan was not approved by BEH until Janua / 1979. The one area of contention with BEH was a state requirement that parents pay board for their children placed in residential settings.

Special Linkages. State C has been the site of several BEH-funded research projects. There is close and frequent contact between personnel in the state department and OE officials.

## Role Players

### State Superintendent

The State C state superintendent is appointed by the state board of education for a four-year term. The present superintendent was appointed in 1977.

### State Director of Special Education

The State C director of special education is assistant state superintendent for the Division of Special Education. The present director took office in 1977. Prior to that, the individual was director of special education in one of the counties in the state. The director is an activist, and has pushed the districts in State C to improve services. The assistant superintendent is responsible for policy.

The second-in-command is called the "director." This person is from out of the state, serves as deputy for all division sections, and is responsible for implementing policy. This individual is also a former director of special education at the local level.

## Organizational Structure

### General Structure

The State C state department of education comprises nine divisions, each headed by an assistant state superintendent: instruction; compensatory, urban, and supplementary programs; special education; vocational-technical education; instructional television; library development and services; vocational rehabilitation; administration; and certification and accreditation. There are also several special offices within the office of the State Superintendent. (A modified organizational chart is presented in Exhibit II ).

### Special Education Structure

The State C division of special education is organized into 5 branches: program development, administration and evaluation; information management; program assistance; Federal projects; and nonpublic schools. (A modified organizational chart is presented in Exhibit III ).

The professional staff in State C's division of special education are fairly evenly divided among the five branches. There are nine professionals each in program development, six federal projects, and seven nonpublic schools; six professionals in program administration and evaluation; and six professionals in information management.

### Intra-agency Linkages

The State C divisions of special education, vocational-technical education, and vocational rehabilitation are all within the state department of education. In June 1977, special education and vocational-technical education entered into a cooperative agreement to provide vocational education to handicapped pupils. This agreement included provisions for:

- the joint development and approval of the divisions' State Plans as they relate to vocational education services to school-age handicapped students;

EXHIBIT II: ORGANIZATION OF STATE DEPARTMENT OF EDUCATION - STATE C (MODIFIED)

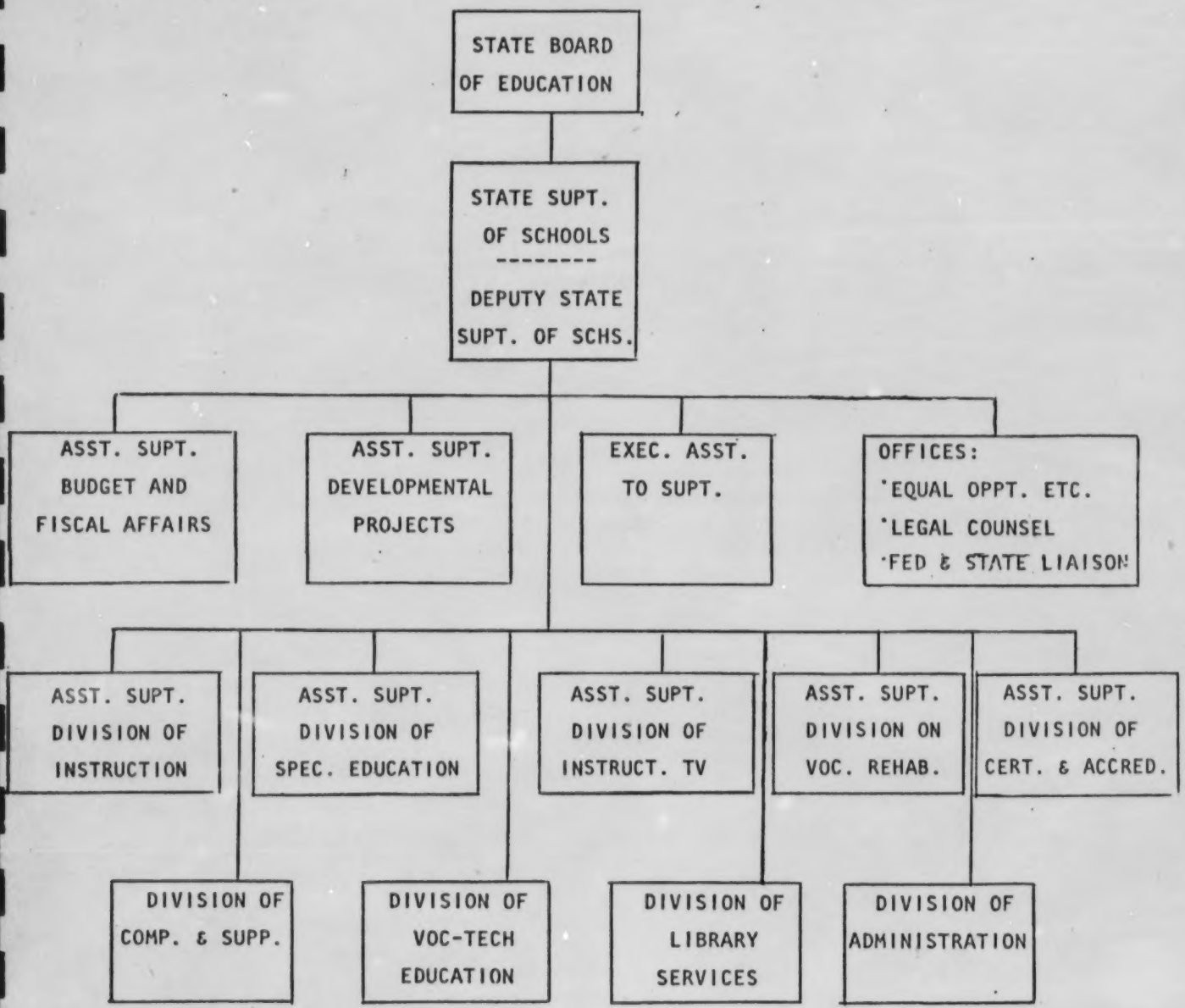
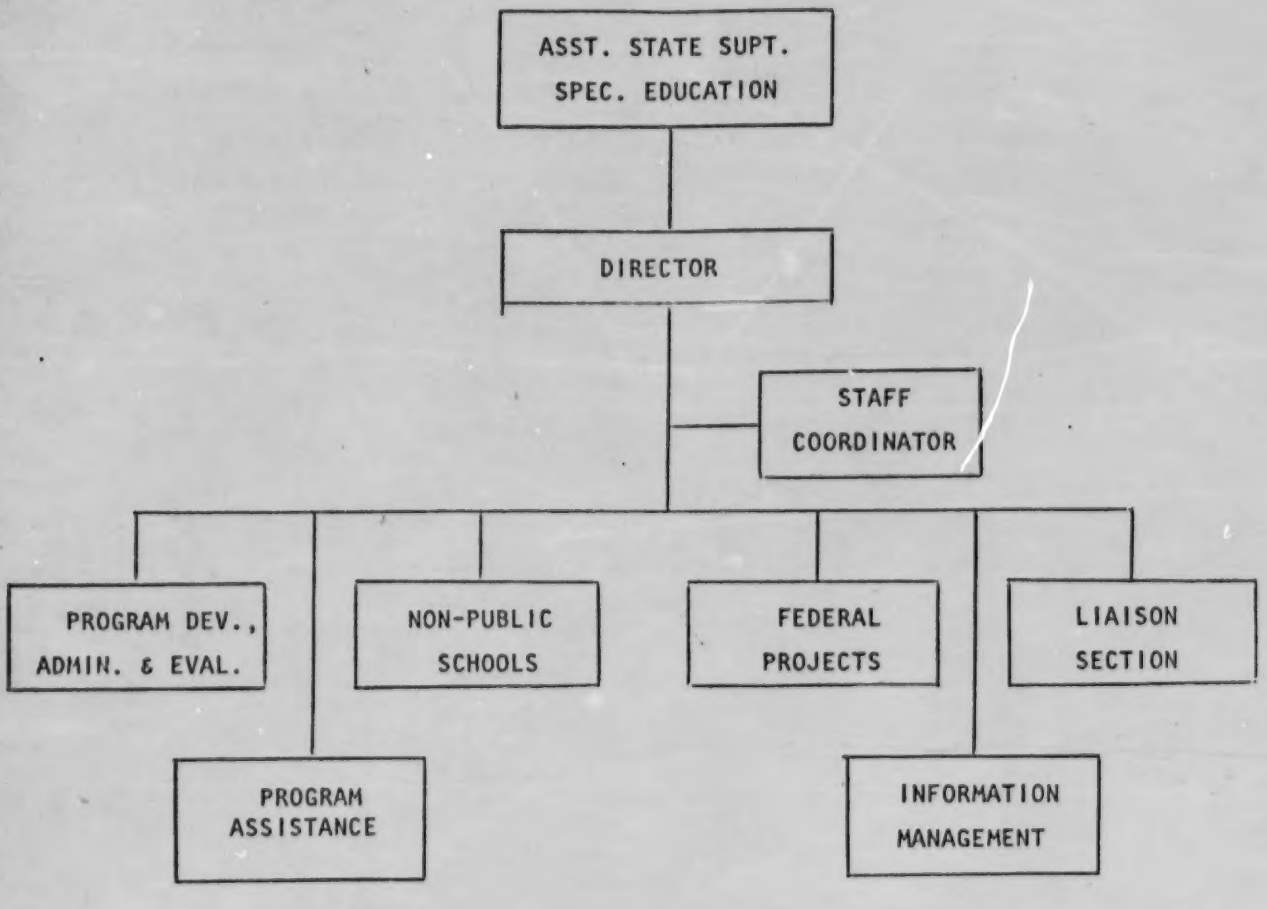

STATE BOARD OF EDUCATION
STATE SUPT. OF SCHOOLS
DEPUTY STATE SUPT. OF SCHS.
ASST. SUPT. BUDGET AND FISCAL AFFAIRS
ASST. SUPT. DEVELOPMENTAL PROJECTS
EXEC. ASST. TO SUPT.
OFFICES:
·EQUAL OPPT. ETC.
·LEGAL COUNSEL
·FED & STATE LIAISON
ASST. SUPT. DIVISION OF INSTRUCTION
ASST. SUPT. DIVISION OF SPEC. EDUCATION
ASST. SUPT. DIVISION OF INSTRUCT. TV
ASST. SUPT. DIVISION ON VOC. REHAB.
ASST. SUPT. DIVISION OF CERT. & ACCRED.
DIVISION OF COMP. & SUPP.
DIVISION OF VOC-TECH EDUCATION
DIVISION OF LIBRARY SERVICES
DIVISION OF ADMINISTRATION

EXHIBIT III: ORGANIZATION OF DIVISION OF SPECIAL EDUCATION - STATE C (MODIFIED)



- the joint review and approval of LEA applications for state and Federal funds to implement projects related to vocational education for handicapped students;
- the joint development of inservice training of special and vocational educators providing prevocational and vocational education services to school-age handicapped students;
- the joint development of inservice training of special and vocational educational educators providing prevocational and vocational education services to school-age handicapped students;
- the joint development of policies and procedures for use at the local level in planning, developing, and implementing provisions of the respective State Plans regarding vocational education for the handicapped; and
- the appointment of liaison representatives to facilitate and coordinate interdivisional communication.

A task force of the two divisions met throughout 1977-78 to identify critical areas that needed to be addressed to provide comprehensive vocational education to handicapped students:

- IEPs;
- personnel development plan;
- full service plan; and
- state board of education policy statement on equal access to programs.

During 1977-78, the divisions of special education and vocational rehabilitation appointed liaison representatives who met and identified major issues involved in the shared responsibilities of the two divisions. These issues included:

- the population eligible to receive special education and vocational rehabilitation services;
- the services than can/should be provided by special education and vocational rehabilitation;
- the refinement of the referral process from special education to vocational rehabilitation, including age considerations;
- the role of vocational rehabilitation in the development of the IEP and the role of special education in the development of the Individualized Written Rehabilitation Plan (IWRP); and
- the identification of responsibilities in an effort to eliminate duplication of services.

These two divisions will develop a cooperative agreement during 1978-79.

## External Organizations

### Advocacy Groups

The Association for Retarded Citizens is active in State C. This group was the plaintiff in a suit against the state in 1974. A number of other advocacy groups for the handicapped exist at the state level and are also active at the local level as described later.

### Other State Agencies

Several agencies outside the state department of education provide services to the handicapped in State C, including the department of health, hospitals, and mental hygiene; the department of human resources; and the division of correction. The mental retardation administration, the mental hygiene administration, and the juvenile services administration are all within the department of health, hospitals, and mental hygiene. There are also state schools for the deaf and for the blind.

The State C state department of education and the state's Head Start programs developed a letter of intent during 1977-78. The purpose of this letter was to coordinate activities related to handicapped childre, specifically (1) a communication network for sharing information, (2) joint training workshops, (3) joint representation on advisory boards, and (4) collaborative child find efforts. A statewide conference was held in March 1978 for LEA special education directors and Head Start directors to establish contact and to begin their cooperative efforts. An SEA staff member has been appointed to maintain close liaison between the division of speical education and Head Start.

The division of special education has worked with other agencies to transfer approximately 1,200 handicapped students from out-of-state to in-state placements. The division has also worked with the mental retardation administration to enable children from some state institutions to attend regular school programs (i.e., programs in LEAs). During the 1978-79 school year, about 500 children from day care facilities operated by the mental retardation administration will be transferred to the public schools.

## Outputs to LEAs

### Funding

Special education funding in State C is based on a formula that determines how much each local district is required to pay toward the excess costs of these services and how much the state will pay in each district. Under current law, mandated local contribution is determined by the total enrollment statewide, by the enrollment in each county, by the wealth in each county, and by the median excess cost for the state as a whole. Districts at or below the median are weighted 1.000; those above the median are weighted according to the ratio of their adjusted wealth to the median wealth. The state and local shares are adjusted in such a way that the state contributes 70% of the excess costs, knd the LEAs contribute 30%; LEAs are, of course, allowed to contribute more than the required minimum. Shares are determined in part by a 1976 base established by law, and in part by a growth factor for succeeding years.

In 1977-78, the SEA used a large portion of its P.L. 94-142 set-aside funds to fund services in three districts that had long waiting lists of handicapped children. During the 1978-79 year, the SEA is using these funds to help LEAs correct problems uncovered during on-site monitoring visits.

### Monitoring

In 1977-78, the State C state department of education visited each LEA for two days to monitor services provided to the handicapped. These site visits had three foci:

- the administrative policies and procedures review, an assessment of LEA policies and procedures to assure compliance with Federal and state special education requirements;
- the individual case review, an examination of randomly selected cases focusing on policies and procedures related to the development of IEPs; and
- the Federal review, an examination of the operations of P.L. 94-142 and P.L. 89-313, Title I, projects.

There were seven steps in this monitoring:

1. Inservice of SEA and LEA staffs in procedures to be employed prior to the monitoring and evaluation.
2. Notification to LEAs of visitation dates, the identification of team members and Federal projects to be reviewed, as well as copies of instrumentation for LEA self-evaluation, which was then submitted to the SEA.

5. Submission of a report of SEA team findings on LEA compliance to P.L. 94-142 and Bylaw 13.04.01; findings included citations of commendations, recommendations, and corrective action where indicated.

6. LEA response to SEA findings, with delineated plan of recommended corrective action.

7. SEA approval of plan for corrective action, with provision of technical assistance to LEA as required.

The results of the 1977-78 administrative reviews and IEP reviews are presented in Exhibits IV and V.

The SEA plans to expand its monitoring activities in 1978-79:

- Site visits of the LEAs, using revised instruments that provide for greater input from a broader public (e.g., teachers, students, parents).
- Expansion of the monitoring role of regional administrators to provide follow-through on evaluation activities.
- Continuation of state inservice program assistance and monitoring through the comprehensive system of personnel development.
- Modification of child find monitoring efforts through the special education information system and final data in the local comprehensive plan and application.
- Increases of fiscal accountability through the full implementation of the State's financial reporting manual.
- Maintenance of nonpublic placement monitoring through cooperative division efforts.
- Continued solicitation of input from the State Advisory Committee and its satellites.

In 1978-79, the SEA monitoring plan was modified due to the tremendous level of effort it required. Starting in 1978-79 only 1/3 of all districts will have their special education program reviewed by a state department team making on-site visits. The result is that all school districts within the state will have their special education program reviewed at least once by the state department every three years.

Technical Assistance

The State C state department of education directed its 1977-78 technical assistance efforts primarily at special educators and administrators. In Spring 1978, the SEA held several sessions around the state to explain the new special education regulations to LEA personnel. The SEA also developed a training manual for hearing officers, and held a three-day training session in April 1978 for these officers.

EXHIBIT IV : RESULTS OF 1977-78 LEA MONITORING IN STATE C

| Area of Compliance | Number of C LEAs in Compliance | Number of C LEAs in Noncompliance |
|---|---|---|
| Child identification | 22 | 2 |
| Confidentiality | 20 | 4 |
| Full educational opportunities | 19 | 5 |
| Personnel development | 22 | 2 |
| Priorities | 21 | 3 |
| Least restrictive environment | 20 | 4 |
| Public control of funds | 24 | 0 |
| Excess costs | 23 | 0* |
| Non-supplanting | 23 | 0* |
| Comparable services | 22 | 2 |
| Information reports | 23 | 1 |
| Public participation | 24 | 0 |
| Individualized education programs | 14 | 10 |
| Procedural safeguards | 15 | 9 |
| Protection in evaluation procedures | 17 | 7 |
| Private schools | 24 | 0 |
| Program evaluations | 20 | 4 |
| Vocational education | 17 | 7 |

*A closer examination by fiscal auditors is necessary before final conclusions can be drawn in this area in one LEA.

EXHIBIT V : RESULTS OF 1977-78 IEP MONITORING IN STATE C

| Individual Case Review | Percentage of Randomly Selected Cases Found in Compliance |
|---|---|
| Evaluation prior to placement | 85% |
| Parental consent prior to evaluation | 64% |
| Parental consent prior to placement | 82% |
| Full evaluation within the last 3 years | 82% |
| Evaluation was made by multi-disciplinary team | 72% |
| ARD meeting held to develop, review, and revise the IEP | 78% |
| ARD meeting included an LEA representative | 76% |
| ARD meeting included the child's teacher | 78% |
| One or both parents were afforded the opportunity to attend ARD meeting | 67% |
| IEP was in effect prior to placement | 71% |
| IEP includes present levels of educational performance | 83% |
| IEP includes annual goals | 89% |
| IEP includes short term objectives | 88% |
| IEP includes the services to be provided | 88% |
| IEP includes the extent to which the child will be involved in reg. education | 76% |
| IEP includes projected dates for initiation of services | 85% |
| IEP includes a list of individual responses | 87% |
| IEP includes the anticipated duration of services | 79% |
| IEP includes evaluation criteria procedures | 77% |

The SEA developed a comprehensive manual for personnel development, which includes inservice training for LEA personnel. The department also developed training modules on IEPs, procedural safeguards, due process, and confidentiality.

Technical assistance is also supplied to the LEAs through five regional administrators.

Direct Services

The State C state department of education maintains a special services information system. All districts report child counts through this system.

Private Placements

All private placements in State C must be approved by the state department of education. In 1977-78, there were 1,400 such placements, primarily mentally retarded and emotionally disturbed children. This was substantially fewer than the 1,900 private placements in 1976-77. The state department of education has reduced the number of out-of-state placements from about 500 to about 200 over the last three calendar years. For the 1977-78 school year, the state contributed $3 million toward the cost of approved private placements; the LEAs contributed $5.1 million.

# CHAPTER III
# CASE STUDY OF SITE C.1

## Case Study Organization

I. THE CONTEXT
   - A. DEMOGRAPHIC
   - B. WEALTH
   - C. GOVERNANCE
   - D. SCHOOLS
   - E. EXTERNAL ORGANIZATIONS
   - F. LEA ROLE PLAYERS
   - G. ORGANIZATIONAL STRUCTURE
   - H. INTERNAL BUREAUCRATIC INTERFACE

II. THE SPECIAL EDUCATION PROGRAM
   - A. ORGANIZATION
   - B. SERVICES PROVIDED
   - C. STUDENTS SERVED
   - D. PRIORITIES

III. IMPLEMENTATION PROCESSES
   - A. SPECIFIC CONSEQUENCES
   - B. GENERAL CONSEQUENCES

## 1. THE CONTEXT

### A. DEMOGRAPHIC

District C.1 is a county-based school district covering an area of 450 square miles. The 1957 total population of the district was 341,700. It is estimated to reach 395,600 in 1980, an increase of about 54,000 people. Ethnic mix includes about 81% white, 13% black, and 2% other. Historically the county has had an agrarian economic base, until about 10-15 years ago when more industrial-based organizations expanded or moved into the State because of the good existing transportation facilities. Tobacco, corn, and a few vegetable crops make up the current agriculture efforts but are losing to industrial advance in a number of areas. A large steel company employs many of the inhabitants in the northern part of the county as does a rather new industrial area. Other large employers include boat manufacturing, electronics, and seafood processing. There is much commuting out of the county to several neighboring metropolitan areas where white collar jobs are more plentiful. Government business is quite prevalent in the county; there is a large military complex which provides many jobs for local residents.

### B. WEALTH

Information prepared by the State economic and community development agency shows the median household income for the county to be $15,520; the state average is $15,500. Per capita effective buying income data indicates more than 52% of the households in the county have incomes greater than $15,000 per year. The effective tax rate per $100 of assessed value is $2.42, slightly higher than the State average.

Poverty level indicators utilized by district officials for Title I purposes include U.S. Census data and free lunch counts. For the 1978-79 school year, 34 of the 74 elementary schools qualified to participate in the Title I program. In 1977-78 the Title I program was funded at about $1,640,000 and served approximately 3,000 children; in 1978-79 the program was funded at around $2,140,000 and served slightly more than 4,000 children.

Sources of funds available to the district from all sources include county, State, and Federal dollars. The county raises a minimum amount of revenue through local taxation; a "piggy back" formula program with the State allows a

return of State income tax money to the county of about 50%. The tax rate for local county assessment purposes is set each spring by the county Commissioners. State aid to the school district utilizes a per-pupil formula; all pupils' transportation costs are reimbursed by the State. Federal dollars are received in the form of impact aid for military installations and other public law reimbursements.

C. GOVERNANCE

The school board consists of eight members who serve staggered terms. A local convention nominates candidates for the Board; these names are submitted to the Governor for approval and final appointments. District officials believe Board members have a sincere interest and desire to serve the community and there is no indication of political interests being served by the appointments. Meetings are held monthly with special meetings/hearings scheduled as needed. The Board elects its own President; the Superintendent serves as secretary-treasurer to the Board.

The county government is a charter form with a County Executive and seven council members elected to four-year terms. They set the county tax rate each spring, approve the education budget, enact county ordinances, and conduct other business related to county-level government.

D. SCHOOLS

The district has 75 elementary schools, 29 secondary (includes junior high/middle schools), eight special schools and centers, and five outdoor, evening, and vocational facilities. October 1978 enrollment figures showed about 34,000 elementary pupils, approximately 39,500 secondary students, and special schools with about 680 pupils. There are 44 non-public schools within the boundaries of this county system whose enrollments total close to 8,100 pupils.

E. EXTERNAL ORGANIZATIONS

Outside agencies which cooperate most often with the school district include the health department and the social services agency. Additional private providers offer services for which they are reimbursed; these include day care services, 24-hour institutional programs, and various specialty areas such as hearing, speech, physical therapy, and occupational therapy. The county health department provides both licensed and practical nurses in each of the school districts special developmental centers; it is not reimbursed for this

service. The health department also provides all occupational and physical therapists to the district through a CETA-funded program. All available positions were not filled by the 1978-79 school year as the health department has not been able to find qualified local personnel as required in CETA programs. The school district pays for the physical therapist and related equipment. The health department believes that physical and occupational therapy positions should be doubled and hopes to negotiate with the district to use P.L. 94-142 funds to support these additional staff. Health department officials believe they provided about 70% of the 1977-78 childfind referrals in the preschool area. There is an automatic process whereby the health department refers new children to the childfind specialist. The working relationship between the health department and the school district is based primarily upon historical good will and practical relationships established in the past. There is no written agreement but a letter "agreeing-to-cooperate" forms a basis for most of the current arrangements between the health department and the school district.

Also, there is no written agreement between the social services agency and the school district. The working arrangement is the result of years of working together and has not changed recently. There is no exchange of funds but there is an exchange of minor services at some levels, i.e., the district's psychologist sits on the agency's Foster Care Review Board in return for services of an agency social worker who attends district Evaluation, Review, and Dismissal (ERD) Committee meetings. The social services agency does not plan to solicit the school district for funds although the agency would like additional resource staff; not a pressing issue at this time. Some minor conflicts exist when the social services agency removes a child to an out-of-county foster home and weeks later requests the district to pay the educational costs. The district conducts an ERD meeting and determines if the child would have been in special education; if so, it pays the educational component. Otherwise, the social services agency must pay the childs out-of-county education tuition costs.

The local chapters of the Association for Retarded Citizens (ARC), the Association for Children with Learning Disabilities (ACLD), and the Citizens for Hearing Education are the main advocacy groups active within the district. These groups advise parents on special education related matters, request periodic meetings

with school officials, and make presentations at school board meetings. District officials attempt to minimize any adversary role and are generally cooperative to requests from these groups to the fullest extent possible. Active leaders in both groups are parents of handicapped children. There are also other chapters of groups within the district which focus upon handicapped children but are not as interactive with the school district. These include a coalition for handicapped children, a local office of a statewide special education and information and referral service, and the Council for Exceptional Children. All maintain some level of ongoing communications and exchange information on an as-needed basis.

The county teachers association is probably the main local special interest group with high impact potential upon the district as a whole. Teacher contracts are usually negotiated through December and January before becoming part of the revised school budget presented to the county commissioners in March. The items in the teachers' association contracts focus upon the coming school year. This is especially important insofar as no one knows ahead of time how much extra effort would be necessary to implement the requirements of P.L. 94-142.

District officials believe that the 44 non-public (parochial) schools located within the county represent a special interest group which has potential to become more active. A major concern is that increased requirements to share special education funds with non-public schools will put additional stress on everybody's budget within the district and further strain available resources.

F. LEA ROLE PLAYERS

The Superintendent of Schools is well experienced in organizational matters and has held his position for seven years. Administration practices appear informal but actually adhere to strict rules and procedures. The Superintendent frequently calls upon assistant superintendents and directors informally and maintains continuous contact at all levels. Little is put in writing that could just as easily be accomplished by a telephone call or an internal visit. Administrators and staff interviewed during the study were all highly supportive of the Superintendent and commented on his overall effectiveness. District officials pride themselves in having a lower administrative staff ratio than other districts within the state.

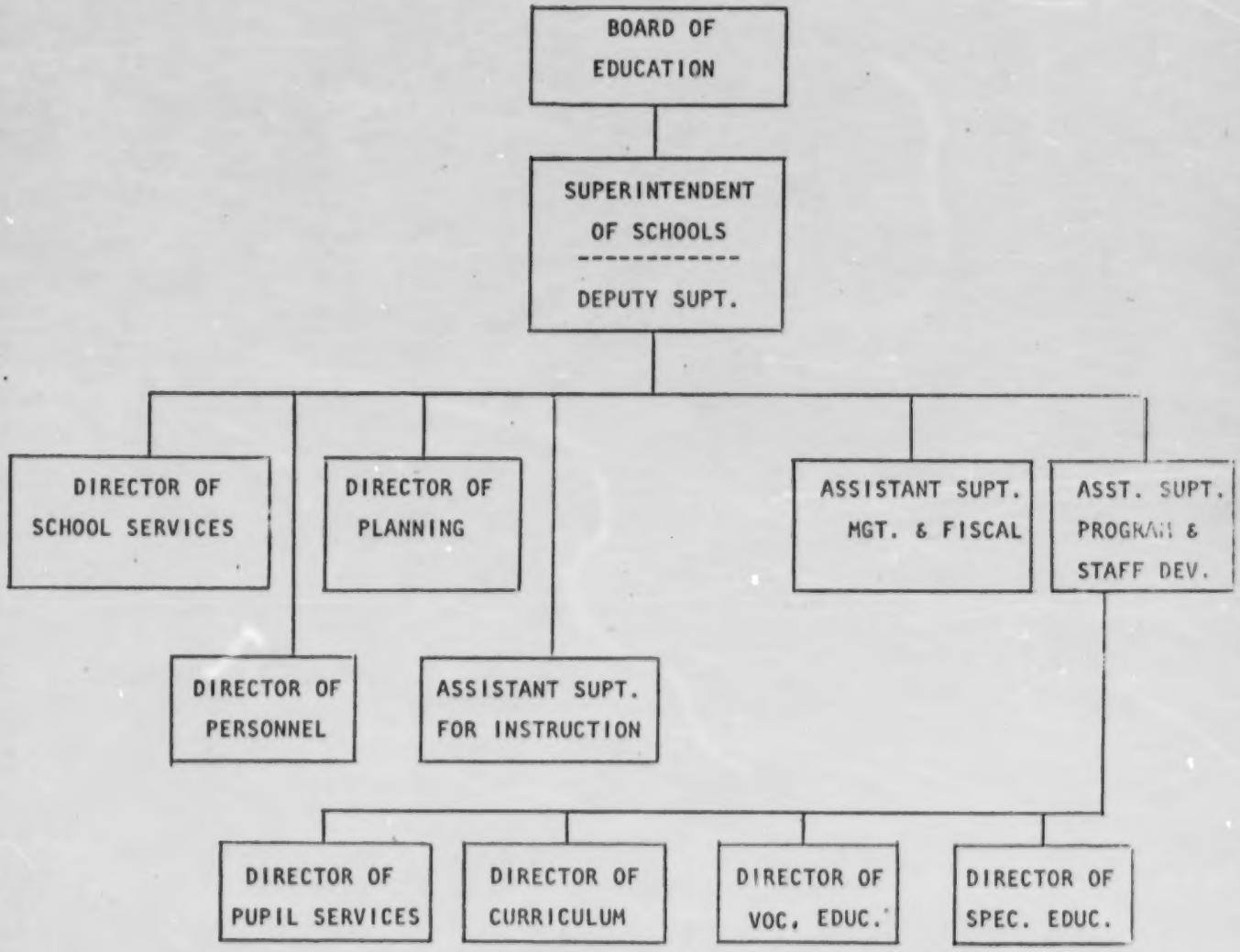
Central office administration directly under the Superintendent is divided between several directors (school services; personnel and planning) and several assistant superintendents (program staff development, management and fiscal services, and instructions). The Assistant Superintendent for Program and Staff Development oversees four additional directors including special education. Most central office administrators have been in the system for a number of years and manifest the characteristics of a well-coordinated organization. The Director of Special Education came to the district in 1976-77 from another large suburban county within the state and displays an organizational sense and exceptional professional skills at the highest level. The previous director was appointed to the State department as Assistant State Superintendent for Special Education. Service to youth is evident throughout the organization and receives the highest priority.

G. ORGANIZATIONAL STRUCTURE

The line-staff organization of the district has remained relatively unchanged for a number of years. The directors of school services, personnel, and planning and construction report to the Office of the Superintendent. The assistant superintendents for management and fiscal services, program and staff development, and instruction also report to the Superintendent. Additional directors for pupil services, curriculum, vocational education, and special education report to the Assistant Superintendent for Program and Staff Development. The Assistant Superintendent for Instruction oversees area directors who coordinate programs with principals and assist in operational matters at the building level. District organization is displayed in Exhibit C-1.

The budget process for the district covers a nine-month span beginning in September. The first effort is individual preparation of all program, service, personnel, and building level budgets which are submitted in October to the director or assistant superintendent in charge. By December the budgets of all directors are submitted to the Superintendent. The Superintendent submits the total budget to the Board in January; public hearings are held and the Board prepares a final budget. In March the Board submits the budget to the county council who may hold hearings. The council must approve a budget by May 31 for the coming school year.

EXHIBIT C-1: ORGANIZATION STRUCTURE OF DISTRICT C.1
(MODIFIED)



In 1978-79 the total approved district budget was approximately $133.8 million, an increase of about $9.8 million over the 1977-78 total approved district budget of approximately $124.0 million. The districts' total approved budget in 1974-75 was about $95.3 million reflecting an increase of almost $38.5 million over the four-year period from FY 75 to FY 79.

H. INTERNAL BUREAUCRATIC INTERFACE

The organizational structure of the district is very strong. The most efficient procedures have been retained and ineffective methods cast aside. Cooperation and coordination across lines of authority are encouraged to assure "getting-the-job-done." Throughout the study interviews, it was evident that district administrators at all levels took pride in their work and were not reluctant to extoll the qualities of the district's educational system. The relative ease by which the study team was able to obtain information would attest to the high degree of cooperation which exists among central office administrators. Building level staff also exhibited a positive feeling about the school system. Any remarks of a negative nature were directed toward a particular program requirement and not specific individuals.

Superior-subordinate roles are characterized by close working relationships and cooperation at the needed time. Informality was much in evidence but did not interfere with the high level of professionalism exhibited by all administrators and instructional staff; everyone evidenced an understanding of their responsibilities and obligations within the system. The superior-subordinate roles informally observed during the study period included activities in planning, scheduling, developing procedures, solving problems, and sharing of information for a common goal.

## II. THE SPECIAL EDUCATION PROGRAM

### A. ORGANIZATION

The office of special education is supervised by the Director of Special Education with help from an Assistant Director. Additional staff include coordinators for special education, speech, and home teaching; the ERD specialist also serves as the childfind person. There are five resource teachers also assigned to the office of special education. Principals of special schools also report to the Director of Special Education. The office of special education operates under the Assistant Superintendent for Program and Staff Development.

The ERD specialist concentrates upon new referrals for special education services received from outside agencies including health department, social services agency, and concerned parents. Referrals are mainly pre-schoolers and families who have just moved into the county. The ERD specialist is responsible for all placements in special centers, non-public tuition, and "between-school" placements. "Between-school" placements involve transferring the student to another school in order to provide the recommended services. This requires central office approval because the student is being placed outside the home school, which will generally involve additional means of transportation. The ERD specialist reports directly to the Director of Special Education. As of the 1978-79 school year there are now five central office resource persons who act as consultants to the building-level staff. Previously, these people were classified as Helping Teachers. Resource persons previously handled placements at the building level but that responsibility now belongs entirely to the building principal. In addition, the resource persons assist regular education teachers in the interpretation of IEPs, provide materials for teachers who have mainstreamed pupils, conduct some inservice training, and respond to requests from the building level for help in special education matters. They assist the special education teachers in the preparation of education assessments, drafting IEPs, program/materials development in the resource and self-contained rooms, and related areas as asked. Special education teachers are part of the instructional staff within their respective buildings; they are not part of the staff under the control of the Director of Special Education. Each building principal has responsibility for all instructional personnel assigned a particular classroom including regular and special education teachers.

The Evaluation, Review, and Dismissal (ERD) process operates at the building level and the county level. The ERD process was modified for the 1978-79 school year to improve the entire placement process. Previously, all referrals for special education services were approved at the central office level by the ERD specialist. All documentation of service needs and placement recommendation was completed by the building level evaluation team. Backlogs occurred during 1977-78 due to increased evaluation requirements and the increased number of referrals requiring approval. The first change to the ERD process occurred late in the 1977-78 school year. As a result, placements could be approved at the building level due to the existence of two school-based teams that function as the Evaluation, Review, and Dismissal Committee. One team approved all placements for supplementary service in the regular classroom and Resource, not to exceed an average of one hour per school day. The second team approved Resource, not to exceed an average of 3 hours per school day and modified self-contained services. These later placements were more restrictive and required more indepth analysis from other professionals. A central office resource person attended each placement meeting for monitoring and placement approval. Special centers and 24 hour-institution placements still required county level ERD approval due to the severity and restrictiveness of these placements. This action was not well received by the building principals who, after trying the new procedures, requested that they be given total responsibility for placement in their respective building. This second change was made about half-way through the school year; building principals now have total responsibility for placement and forward information to the central office for review after the placement has been made.

A Special Education Procedures and Guidelines manual was distributed to all central office administrators, principals, assistant principals, special education teachers and counselors in July 1978 by the Director of Special Education. The manual brought together materials developed the previous year on procedural matters related to special education including screening, assessment, placement, the ERD process, IEPs, due process and hearing procedures. It also included copies of all forms used in special education. Each form was numbered and identified according to the steps followed in the Evaluation, Review and Dismissal process. Definitions of special education terms were given, as well as the eleven handicapping conditions recognized under Federal and state law. Certification requirements were listed under each handicapping condition. Considerable detail

was included in the manual so that a principal, for example, could obtain specific instructions on the planning, implementation, and operation of a successful ERD committee in his building. During study team site visits throughtout the 1978-79 school year, the manual was always in evidence and both administrators and professional staff referred to its usefulness in helping them understand the new special education requirements they had to implement. The manual also contained some material from the State Department of Education relating to definitions of types of special education services and a time line for the sequence of placement procedures from screening through annual review.

B. SERVICES PROVIDED

The special education program within the county school system emphasizes "levels-of-service" rather than "labels" previously used in identifying handicapped children. The levels-of-service concept was mandated by the State Department of Education for all school systems within the State; District C.1 has successfully implemented the levels-of-service concept as evidenced by the profes ional staff incorporating the new terms into their daily acitvities. The levels-of-service concept focuses upon time/amount of service. Level I includes the mildly handicapped child who can be served in the regular classroom with supplementary services; Levels II and III include the moderately handicapped child who can be served in a resource room or other similar setting from one to three hours per day; Level IV includes the severely handicapped child who needs more service in a modified self-contained or similar type of setting; Level V includes the profoundly handicapped child who can be served in a special school for the entire day; Level VI includes the handicapped child who must be served in a residential setting on a 24-hour personal basis. In District C.1 each elementary school can provide Level I, Level II, and Level III services, many of the schools also provide Level IV service depending upon the local need in the area the school building serves. Secondary schools also provide the same type of services. Three elementary schools have special education pre-school programs which operate for about three hours each day and serve children identified through the childfind (out-of-school) referral process. The pre-school program was expanded into three schools for the 1978-79 school year because of childfind activities; previously, there were only two pre-school programs. There are three special education schools which provided Level V service to all grade levels in the past within the district. An additional Level V Center serving about

88 pupils was opened in the fall of 1978. An unused school building was converted for this purpose after district officials were notified that a local private facility was to become an adult-only center and would no longer accept any school-aged children. District officials reviewed the advantages of converting and operating their own building in comparison to sending pupils out-of-county. Increasing tuition costs and State department emphasis upon keeping pupils within district boundaries resulted in Board approval of the concept.

C. STUDENTS SERVED

District C.1 had approximately 74,000 pupils enrolled in grades K-12, including pre-school and special education, during the 1978-79 school year. Of this total, more than eight thousand chidlren were identified as in need of some type of special education service. Approximately 4,300 of these students received special education services at the elementary level, 2,500 students at the middle and Jr. High level, and 600 students at the high school level. The enrollment for special centers (Level V service) was approximately 700 students. The majority of the special education students in elementary, middle and high school require mostly Level I (served in regular classroom with supplementary services) and Level II (resource room instruction, no more than 1 hour a day) service.

D. PRIORITIES

During the 1977-78 school year the special education priorities within the district were 1) revision of screening committee procedures; 2) implementation of IEPs; and 3) expanding least restrictive environment (LRE) options. A manual entitled Criteria and Procedures for Placement and Dismissal of Students in (the district's) Special Education Program was approved by the Board of Education in September 1975. The intent was to provide a comprehensive set of procedures for placement in special education programs as specified by the State law. The Manual was revised (and approved by the Board) July 1978 in order to incorporate the additional requirements of P.L. 94-142. This document, Special Education Procedures and Guidelines, outlined the procedures and guidelines to be used in District C.1 in implementing special education programs and related services, most school personnel viewed it as a necessity, particularly now that placements are approved at the building level. A review and evaluation of special education programs in the district was a number one priority for the 1978-79 school year. The Director of Special Education was particularly interested in determining the relative quality of services being offered and began exploring methods suitable for program evaluation. The district focused a great deal of attention on the

implementation of IEPs during the 1977-78 school year. The previous educational plans were revised to more readily reflect the IEP requirements as specified under P.L. 94-142. Procedures were modified during the year that would allow the process to run more efficiently. The IEP remained a high priority during 1978-79 school year. Further in-service training was needed to provide direction so that IEPS were more uniformly written throughout the district. Special attention was given LRE at the local building level. This was where the county education system received the most resistance relative to implementing the requirements of both the state and p.L. 94-142. Classroom teachers and building principals were reluctant to completely accept the LRE requirement at the beginning of the 1977-78 school year. In-service programs and additional assistance for the special education office staff helped in smoothing out these problems although they still exist with some regular classroom teachers. Further in-service was conducted during 1978-79 for both regular and special education teachers emphasizing LRE.

Other priorities for the 1978-79 school year were 1) changes in handling the emotionally impaired (EI) population, and 2) increase in vocational education services for special education. Planned changes in serving the emotionally impaired included the organization of special centers in both high schools and elementary schools. Vocation education planning included an offering in three centers specifically for special education pupils.

## III. IMPLEMENTATION PROCESSES

### A. SPECIFIC CONSEQUENCES

#### 1. Childfind

##### a) Childfind Processes

Childfind identifies children who are in need of special education services through an initial screening process. There are three methods by which students are referred to special education through childfind, i.e., outside agencies, within the school, and pre-school age children.

Outside referrals are received through the central office, the county Health Department and Department of Social Services. Most of the "finds" discovered by Social Services are referred to the childfind specialist at the special education central office in the district. The Health Department cooperates with social services and the district in providing medical evaluations for all referrals as required. There are additional referrals from within the system by classroom teachers and principals. Childfind children who are not enrolled in a school receive preliminary processing through the central office childfind process. A Pupil Personnel Worker (PPW) assists in completing the referral form and placing the child in a home-based school for further screening. Those referrals from within the system have a preliminary screening completed by the classroom teachers to be used to support the reason for the referral. This includes: teacher-made tests, teacher observations, and samples of the child's work. This information is reviewed by the principal or counselor and at that time may refer the student to the school-based team for further screening.

Childfind referrals that are preschool age are referred to two central office regional teams that provide diagnostic testing. Diagnostic testing determines whether or not the child is functioning at age level. The emphasis of the testing investigates fine and gross motor skills and cognitive language ability. Based on the results, the diagnostician will make a program recommendation. The program options range from speech therapy to placement in a full-time program. The type of program is determined by the child's specific needs.

During the summer of 1978 the screening team (Diagnostician, Speech Therapist, Hearing Impaired Specialist and representative of Health Department) reviewed pre-school referrals for placement in September. As a result of the number of referrals for this service the district opened eight additional pre-school classrooms for the 1978-79 school year.

b) Childfind Consequences

There is one consequence in District C.1 related to the childfind process.

Some regular teachers say they will not refer pupils due to complexity of special education process.

The referral process for special education prior to P.L. 94-142 was more cumbersome than the procedures now used to meet the new requirements. In particular, all referrals in the past were required to undergo a psychological examination prior to receiving any type of special education service. It would take several weeks or even months depending upon the case loads of the psychologists. In addition, the referring teacher was not necessarily required to prepare as much detailed information when making a referral. While the referral process has improved considerably as a result of P.L. 94-142 requirements, there are several additional aspects which lead some teachers to believe that the process is actually more complex than it had been in the past. Current referral procedures require more accurate and detailed information be provided by teachers who have knowledge about the pupil being referred. Evaluation requirements are more explicit as well as varied. Attendance at conferences is necessary in most of the current referrals. Many teachers interviewed felt that the referral process had become more complex because of the strict demands for accurate and detailed information. Some of these teachers said it was a frustrating experience, especially when it was obvious to them that a particular referral should begin receiving special education service as soon as possible. Additional comments were made by several teachers that it was also difficult to place a pupil back into the special education program once they had been fully released. These same teachers said that it would be easier for them not to refer mildly handicapped pupils and were considering providing them additional help in the regular classroom instead. There was no evidence obtained during the study to indicate that pupils were not being referred for special education. However, teachers interviewed said they could make excellent use of building level special education teachers as resource persons for mildly handicapped pupils and not have to get into the referral process at all.

2. Evaluation

a) Evaluation Process

More formal evaluation of referrals is decided after school teams review the initial screening information provided from childfind. There are two

school teams in each building who are responsible for evaluation of referrals according to the severity of the handicapped condition. The Educational Team considers referrals for Level I (regular classroom with supplementary materials) and Level II (resource room for one hour per day) services. This team is composed of the building principal, special education teacher, reading and speech teachers, guidance counselor, and regular classroom teachers as appropriate. Team members review the referral forms and determine the need for an education assessment. There is a Regular School Team which considers referrals for Level III (Resource room more than one hour per day) and Level IV (modified self-contained) services. This team also reviews and forwards referrals for Level V (special center) and Level VI (24-hour care) service to the county team for processing. The Regular School Team includes the members from the Educational Team plus a pupil personnel worker and a psychologist. Only the Regular School Team can request a psychological examination in addition to the education assessment.

The written educational assessment consists of an analysis of pupil reading, mathematics, perceptual functioning, oral language, written language, spelling, and speech and language as appropriate. The psychological examination includes cognitive assessment, perceptual motor, achievement, and personality. Results of all testing are reviewed with parents.

Prior to P.L. 94-142, teachers completed a simple educational assessment and psychologists completed a simplified psychological examination. Requirements of the new law placed considerable additional testing workload on the psychologists creating backlogs from 4-6 months. The psychological examination procedures was revised to limit examinations to seriously emotionally disturbed and mentally retarded referrals in order to expedite the evaluation process.

b) Evaluation Consequences

There are two consequences identified in District C.1 which relate to the evaluation process.

(1) Changes in evaluation procedures are increasing time demands for building level staff.

Prior to the 1978-79 school year all referrals for special education had their educational assessment completed by the classroom teacher and psychological evaluation completed by the psychologist. New requirements to provide additional services greatly increased the number of referrals and created an increased workload for the psychologists. Backlogs for psychological evaluations were

commonplace which further delayed the placement process. In an effort to speed up the process it was determined that psychological evaluation was not necessary for Level I and II placements. In addition, the school building staff would assume responsibility for completing all educational assessments. This change in evaluation procedures had the greatest impact on the special education teachers, who, some felt, were now more diagnosticians than teachers. Many of the teachers interviewed do not feel comfortable with this new role due to a need for more in-service training in this area. Teachers are further frustrated because they have no available time to test students. Generally, it takes a minimum of 2-3 hours to complete one assessment; 2 hours of testing, then an additional hour to write the formal report. Some teachers have reduced class time or even cancelled classes in order to complete the assessment. Most of the time the special education teachers use their planning time rather than cancelling a class. In many of the schools the principal or school counselor has assisted the teachers with the assessment responsibility.

(2) Haste to implement requirements created problems in selection and use of evaluation instrument.

The urgency with which the district was required to implement additional evaluation procedures did not allow ample time for instrument selection and the refinement of related testing procedures for certain types of psychological examinations. State-of-the-art in psychological testing has not kept pace with the need for new and/or additional instrumentation as necessitated by P.L. 94-142 requirements. The selection of one particular instrument for use in screening special education referrals has caused considerable concern among some professional staff. New procedures required the selected instrument to be administrated by the special education teacher, counselor, or the principal. Many of the teachers and principals interviewed said they had received minimal training and felt unqualified in using this particular instrument to identify a handicapping condition. District psychologists felt the situation needed more time for thinking-out; that this particular test administration was probably an unnecessary responsiblity at the building level. The psychologists even felt that they were the ones who should be administering the test and not the teachers. District officials consulted the test publisher, the author, and the state department for opinions on the appropriateness of using the instrument for the intended purpose and whether it

could be administered by teachers and principals. The test publisher and the author disagreed and the state department quoted Burrough's Mental Measurements Yearbook. This difference in professional opinion is not necessarily interfering with the districts evaluation process but it does emphasize that even experienced professional staff sometimes have difficulty in determining the most appropriate procedures necessary to meet the requirements of P.L. 94-142.

3. Placement

a) Placement Process

Most placement decisions are made at the building level by the same teams which conducted the evaluation. The Education Team functions as the Evaluation, Review, and Dismissal (ERD) Committee for placements in Level I (regular classroom with supplementary work) and Level II (resource room less than one hour per day). The Regular School Team functions as the ERD Committee for placement in Level III (resource or other setting) and Level IV (modified self-contained or other type of setting). Placements requiring more restrictive settings (including non-public placements) are determined by a county level (central office) ERD Committee. Occasional waitlisting occurs at the building level when available service positions are filled. In these instances, an attempt is made to provide some form of service until an appropriate placement position can be made available.

Prior to P.L. 94-142, all special education placements were determined by central office personnel after review of available assessment data.

b) Placement Consequences

There are six consequences identified in District C.1 which relate to the placement process.

(1) Secondary level students personally refused special education services.

A problem unique to the secondary level school was the refusal of special education services by the students themselves. This appeared to be occurring more frequently at the senior high and middle school level. Administrators felt the student's refusal stemmed to a great extent from peer pressure. Students at this age want to be like everyone else. At this grade level special education still carries the label and stigma the students do not want.

Historically, the policy of the district has been to provide special education services on a voluntary basis. When services are refused, the student and/or family are counseled with the hope of eventually obtaining the necessary approval

for the needed service or to explore options other than special education. Sometimes as a result of these parent/school/student conferences the special education service recommended is accepted. Other times the student still refuses special education services and services are not provided.

(2) Local implementation procedures are slowing down placement process.

Many of the teachers interviewed said they believed that the placement process was taking more time to complete than was required in the past. They cited increased evaluation requirements, committee work, parental involvement/ due process requirements, and paperwork in general. Some felt the students they had referred were losing ground academically as a result and would require a longer period in special education. Both principals and teachers interviewed commented that special education has become too procedurally oriented thus becoming time consuming.

Central office staff concurred that in many instances it did take longer to place pupils with certain types of handicapping conditions; especially those with more severe handicaps or with multiple handicaps. It was also pointed out that the new requirements necessitate more accuracy and thought in completing documentation and making placement decisions than had been required in the past. This type of effort is often translated into more work and considered to add time to completing the referral/placement process.

(3) New special education procedures in district have caused problems in scheduling placement meetings.

In the past all placements for special education required central office approval. Now placements for consultation, resource, and modified self-contained may be approved at the school building level. As a result, schools are experiencing scheduling problems in completing the referral process.

Placement team conferences must be planned at times that would be least disruptive to teachers' schedules and also include additional staff when necessary. Such staff include, speech therapist, psychologist, pupil personnel worker, health nurse. Also, there is a conflict with the teachers contract in scheduling after-school meetings.

(4) Procedures revised to allow staff to approve placements in their own building.

During the 1977-78 school year all special education placements were approved

through the central office. This was time consuming according to principals and teachers interviewed, and often resulted in placement delays. Building staff were concerned that the central office did not know the details about particular referrals as well as the teachers and principals in the pupils' respective buildings. This procedure was revised and now provides for placement decisions to be made by building level teams if the pupil referred can be served in his/her own building. Referred pupils who need service provided in another facility must be processed through the central office/county level ERD for placement. Central office officials initially required a control office resource teacher in attendance at building level placement meetings to monitor and assist in the process. Principals came to realize they much preferred assuming responsibility for the entire placement decision. This aspect of the placement procedure was revised again with the building principal now having total responsibility for all placements within the building. Paperwork is forwarded to the central office for review after the placement decision has been made.

(5) Secondary schools have different approach/attitude toward special education pupils than elementary schools.

In the past, special education has generally been viewed in isolation to the rest of the regular program. The law has changed this attitude very little at the high school level. Regular and special education teachers have very little contact with one another and the amount of involvement seems to depend on the individual teachers and school philosophy. Some regular teachers at the high school level preferred not knowing which students mainstreamed into their classrooms were in the special education program. They had the same expectations for the mainstreamed special education students and felt they should be capable of meeting the regular classroom objectives. The student should be able to function in the class with limited special help.

During the 1978-79 school year, one high school developed a pamphlet which was designed to better prepare regular teachers for special education students placed in their classes. In addition, some high school regular education teachers are reluctant to refer students to special education if they have never been in special education. They believe that it is inappropriate to "label" a student, if s/he has almost made it to graduation and not yet been identified with special education.

(6) Appropriate service positions not always available after placement process is completed.

Many of the special education resource rooms are already filled to capacity. Teachers are concerned that children identified mid-year will have to wait for special education services. In order to avoid waitlisting, it has been recommended that schools adhere to the timeline outlined in the administrative procedures and guidelines. This is intended to provide additional time needed to complete the IEP service needs of some special education pupils who can then be returned to the regular education program. In turn, this will provide needed service positions for new placements and reduce or eliminate the need for waitlisting. One of the central office people interviewed suggested that in the future it might be appropriate to reduce the amount of time new placements should spend in the resource room setting. This would be another way to increase the number of pupils who could be served by the resource room.

4. Least Restrictive Environment

a) Least Restrictive Environment Process

Least restrictive environment is given major consideration for every pupil requiring special education service(s). The district's referral/placement process requires that a pupil not move from a lower level placement to higher, more restrictive placements until the most appropriate placement is determined. Every new placement is reviewed after 60 days further insuring the least restrictive environment.

Every regular school now has at least one resource room and most also have a modified self-contained room. Children placed in resource spend at least half of the day in regular classroom instruction. Children in modified self-contained rooms generally are provided a less restrictive environment in non-academic class i.e., art, physical education, music.

Since 1977-78, a few pupils in special centers are receiving some of the vocation/technical courses in a regular vocational/technical class. These pupils were "phased" into this by first receiving part of their instruction in regular vocational technical center and then, if it looked like the pupil could handle the course, placed into the regular program. This was monitored very closely. Prior to 1977-78, these pupils would have stayed in a special education center with no opportunity to participate in regular programs.

b) Least Restrictive Environment Consequences

There are five consequences identified in District C.1 which relate to the least restrictive environment process.

(1) Lack of self-contained classrooms in every building causing some "mixing" of pupils with differing special education needs.

Not every school has a modified self-contained classroom. Buildings that are without this type of classroom must transfer students to other schools, as in the past, or provide an alternative combination of services. Students have been recommended for a lower level of service (resource) in order to be placed within the building. Their instructional day is split between two resource teachers, three hours each. This occasional mixing of pupils for achievement and service needs has placed more demands on the resource room teacher because these students have a shorter attention span, are more easily distracted, and, therefore, require more individualized attention from the teacher. These teachers now feel they are having to compromise some in the quality of instruction provided to the class as a whole. Special education teachers have had difficulty in making an adjustment to work in these types of settings compared to their previous experience of having pupils with only one type of handicapping condition.

(2) Increased enrollments in special education are causing a decrease in the amount of individualized instruction provided in some classrooms.

Resource room enrollments have increased in some rooms to the maximum allowable. These special education teachers expressed concern they may not be able to provide adequate services to these pupils. Some teachers have found that with increased enrollment there has been a decrease in the amount of individualized instruction they can actually provide. Teachers are now having to teach in small groups rather than instructing on a one-to-one basis. As a result, some students receive less direct contact with the special education teacher. Some parents interviewed expressed concern that their children may not be receiving the required services as outlined in the IEP. One group of teachers felt that as a result of this increase, children that could be remediated within one year will now take longer and the effectiveness of the resource help has been "watered down." Rather than increase class size, school personnel said they believed it would be better to decrease the amount of time each student spent in the resource room.

(3) Some regular teachers feel that mainstreaming may actually hurt some special education students.

Some of the regular teachers interviewed expressed their general dislike for the mainstreaming concept. They think that mainstreaming is better for the student socially rather than academically. Due to the increased class size, these teachers said many students can not get the attention they need in a regular classroom. As a result, the child gets frustrated and teachers believe they have observed a loss of motivation to learn. Other teachers, interviewed said they did not disagree with the mainstreaming idea to put special education pupils in the classroom in which they could perform.

Regular teachers indicated that the type of classroom setting also seems to be an important consideration when mainstreaming special education students. Students placed in "open" classrooms often times find it overwhelming and have great difficulty adjusting. Some teachers felt that if they had an aide the adjustment for the special education student would be much easier. The student could receive regular instruction with additional instruction on a one-to-one basis.

(4) Regular teachers must alter their instructional program to accommodate mainstreamed pupils.

Teachers have found that there are special adaptations they must make in order to meet the needs of special education pupils who are capable of performing in these regular classrooms. Teachers have found they have had to alter their instructional program to accommodate these pupils. Many of these mainstreamed pupils require individualized attention in order to function in the regular classroom. Most elementary and middle school programs allow for this type instruction. Generally, these teachers group by ability so that it is easier to phase a special education student into the regular classroom. It is more difficult at the high school level where teachers instruct for one ability level. Some regular teachers have set aside additional time to work with these pupils on a one-to-one basis. Other teachers have the special education student work along with a more advanced student (peer tutoring). Teachers have also had to create additional materials to provide for the specific needs of the mainstreamed pupil.

(5) Closer cooperation has developed between regular and special education teachers at the elementary level.

Many regular teachers did not feel adequately trained to instruct special

education students mainstreamed in their classroom. As a result, closer cooperation has developed between the regular and special education teachers at the elementary level. The regular teachers have relied on the special education teachers as resource persons to equip them with alternative teaching methods, additional materials and to better coordinate both instructional programs. These closer ties have had an apparent effect of improving the instruction of the mainstreamed special education student. The teachers have generally met on an informal basis before or after school or during planning time. During the 1978-79 school year more teachers are using the school-based teams as a "sounding board" and additional resources available to them.

5. IEP

a) IEP Process

The special education teacher begins development of the IEP at the time of placement recommendation. There are two separate documents that make up the IEP. One form gives a total profile of the child. It identifies the instruments used in diagnosing the child and the scores from each of these diagnostic tests, the child's handicapping condition, services needed and services provided. It lists annual goals with the method of evaluation for each goal, lists signatures of person(s) who will be implementing the IEP, and indicates the amount of time the child will be participating in regular educational programs. The second form identifies long and short term objectives, criteria to be used to evaluate mastery of objectives, and lists approximate beginning and ending dates for teaching each objective. All of this information must be approved and signed by the parent before the IEP can be implemented. A parent conference is arranged to discuss the IEP, make any necessary changes, and obtain necessary approval. The parent receives a copy of the IEP, the original is kept with the child's cumulative record, and in many instances the classroom or special education teacher will keep a copy. Minor revisions made to the IEP during the school year do not require parents' approval; major revisions do require parent approval.

Children who are new placements in special education are reviewed after 60 days of placement. There is an evaluation of every child in a special education program at the end of the school year. The purpose of this annual evaluation is to evaluate progress on the current IEP and to determine the service need for the following year. Children who remain in special education must have

an IEP written for the coming school year. District procedures require that a new IEP be written each year rather than the old IEP revised.

Since P.L. 94-142, parents now must be involved in the IEP development process, usually done in conference. The average length of time of these conferences ranged from a few minutes to several hours during the 1977-78 school year. As a result, the IEP developmental process was changed during 1978-79 by creating a "proposed" IEP prior to the parent conference. A proposed IEP is an educational program developed by the building level team that is believed to be appropriate for the child based upon the documentation. Regular education teachers provide some input to the IEP in identifying specific needs of the child. This occurs more often at the elementary level. During the IEP conference the parents review and discuss the IEP with the special education teacher and recommend changes. This procedure has decreased the IEP conference time significantly.. During 1977-78 parents had to attend two separate conferences; one, to sign the IEP and another to approve placement. In 1978-79 the placement process was streamlined by combining these two meetings and obtaining necessary approvals all at one time.

Prior to the 1977-78 school year, special education teachers were required to write management plans for special education pupils. These plans took less time to complete and contained much less specific information. They identified the program (i.e., Resource, Modifed Self-Contained, Special School) and listed instructional objectives in four curriculum skill areas: communication, numerical, career/vocational, and social emotional. After completing an objective, the teacher indicated the date it was achieved and the method of evaluation. The last section of the management plan included any final education recommendations. Teachers began writing these plans at the time of placement. There were no requirements to involve parents in the program process and teachers chould implement the management plan with or without the parents' approval. A copy of the plan was sent to the parents within 30 days of placement. Experience gained by teachers in preparing pupil management plans greatly assisted in the implementation of the IEP concept.

b) IEP Consequences

There are two consequences identified in District C.1 which relate to the IEP process.

Parents rely upon teacher's judgment in approving IEPs.

Since P.L. 94-142, parents must now be involved in the IEP process. Pre-

viously, the district had required management plans which were less specific, took less time to write, and required no parental involvement. The IEP must be approved and signed by the parent in order to implement the special education service and approve placement. Special education teachers viewed the required parental involvement in IEP process inappropriate. Many special education teachers felt there were parents who did not understand what they were signing due to the complexity of the IEP. Teachers found that parents generally relied on their expertise as teachers to develop an appropriate program and had little input during IEP conference. As a result, teachers developed a "proposed" IEP to be reviewed by parents and revised if necessary.

(2) Many IEPs written last year are not being used in the classroom this year.

Many of the IEPs written in 1977-78 had to be revised and reapproved in 1978-79. At the end of 1977-78, teachers were required to write IEPs for the coming year. This involved assessing the child, determining his needs, and writing appropriate objectives. Some teachers said they were skeptical about the usefulness of an IEP written in May to be used in September and implemented by another teacher. They also found it difficult writing IEPs for pupils transferring to another school, not knowing the program or curriculum. Other IEPs were rewritten due to changes in the child's development over summer period. As a result, many of the IEPs from transition students were inappropriate and not used in the classroom. Teachers had to reassess the child, revise the IEP and then have parents reapprove it at the 60-day review. Many of the teachers interviewed objected to this duplication of effort. It has been suggested that to avoid recurrence of this problem the secondary schools should plan to send a special education teacher to the elementary schools to help teachers understand the nature of services available in the upper grade levels.

Central office officials emphasize that an IEP must be written for a special education pupil prior to transition to the next grade level. It was also stated that while the elementary teacher may not know the finite details of available service options in the transition school, the new IEP would give the new school its best data on the pupils; the IEP can then be changed, if necessary. The alternative is no IEP until the pupil gets to the new school in September; this is not acceptable to district officials.

6. Due Process/Parent Involvement

a) Due Process/Parent Involvement Process

Prior to the law, there were no legal requirements to involve parents. The assessment was completed without parental consent; the educational plans were written without parental involvement and could be implemented without parental approval. Placement in a special education program did require parental approval.

As a result of the law, parents must now be involved with the entire special education process. Parents must be notified at the time their child is referred to special education. The parents themselves may make the referral or refer any other child they feel is in need of services. Since 1977-78 there have been an increasing number of parents who have taken advantage of this opportunity.

Parental permission must now be obtained for assessment and any psychological testing in which the results will be used to document a need of special education services. The parents receive a written report of the test findings. If the parents disagree with the results they may obtain their own assessment. Parents are also invited to attend the ERD committee meeting at which time they review and discuss all information pertaining to their child and the placement recommendation. Parental participation is required in the development of the IEP and approval is required for implementation of the IEP. The procedures and guidelines manual contains a section devoted to due process procedures and identifies the points, from initial identification through actual placement, when parents' rights must be respected.

District procedures also encourage parental involvement in special education matters in general. Parents are encouraged to participate in the ERD committee meetings. There is opportunity for parents to participate in development of the IEP although most end up delegating this responsibility to the special education teacher. And parents are informed that they may confer with the special education teachers at any time throughout the school year.

The Special Education Procedures and Guidelines manual contains a section on parental involvement which provides detailed information from initial identification through actual placement and specifies the maximum time allowed for each step in the process. There is an additional section on parent appeals which provides for hearing procedures at the local and state levels.

b) Due Process/Parent Involvement Consequences

There are three consequences identified in District C.1 which relate to due process/parent involvement.

(1) There has been an increasing number of parents requesting special education services for their child.

As a result of increased community advertising of special education services available, more parents are requesting special education services. Private organizations for handicapped persons have also been instrumental in this process. Requests have been received through the central office of the home-schools. Depending on the severity of the problem, the central office either refers the parent to the appropriate home-school or implements the referral process. One of the times when district officials receive requests from parents for special education services is directly after report cards have been issued. This is indicative of the number of parents who have been impacted by community childfind activities even though these types of referrals are not necessarily special education problems.

(2) Parents not responding to parental involvement opportunities.

Prior to the Law there was no district policy to involve parents in the specific details of special education. Schools are now contacting parents who previously would not have been aware or involved in the special education process. These parents are generally supportive of the process but have not responded to invitations to attend meetings or participate in the process. Many of these parents tend to be in the lower socio-economic group and have limited education themselves. As a result, more "teaching" is occurring at the family level to explain the process and inform them of their responsibilities and the rights to which they are entitled.

There have been delays in processing procedures because parents have not returned the formal consent forms which are now required.

An area of difficulty schools are having is getting parents to approve the IEP. Most Parents are willing to attend a meeting in order to review and approve the IEP and the placement. When parents do not attend, the school informs parents that unless they sign the IEP form their child will not be able to receive services. This procedure has been effective in getting parents to sign IEP forms. There is no requirement for parents to attend an IEP conference. However, parents must

sign the form in order for their child to be given special education services.

(3) Local advocacy group has assisted parents in due process hearing.

Prior to the 1978-79 school year, central office special education staff had been able to work out individual parent concerns about their child's placement without resorting to a formal hearing process. Early during this particular school year two separate cases could not be resolved informally and had to go through the formal hearing process at the local level. In the first case school officials did not find that a child was qualified to become a special education pupil after careful evaluation for a specific learning disability for which the parents had made the referral. While the child did have a visual-motor disability, school officials did not believe that it was serious enough to meet the definition for "...severe discrepancy between achievement and intellectual ability..." The parent requested a hearing. It was acknowledged that a local chapter of a state-wide advocacy group had helped the parent prepare for the hearing. Central office special education officials felt they had a strong case for their decision and were quite suprised when the hearing officer found in favor of the child and recommended a resource room placement.

The second hearing came about as the result of a more complicated set of circumstances. In this case the child had been receiving service within the district for several years. The results of the 1977-78 annual IEP review were mailed to the parents who did not immediately respond. District officials finally received from the parents a request for non-public tuition for an out-of-county school where they planned to enroll the child. The district held a county-level ERD committee meeting to review the request and denied the placement; the parents requested a formal hearing. At the hearing, central office special education officials presented two alternative programs which could be provided to the child thereby precluding the need for private school placement. The hearing officer provided the parents an opportunity to examine the alternative placements posed by the district; they refused. The hearing officer found in favor of the district and the parents have appealed the decision to the State.

This particular hearing was further complicated by the fact that the parents acted upon advice from an outside diagnostic and testing service. When

the parents first received the annual IEP evaluation from the district they felt that their child was not progressing as much as they would like. They paid a private firm in the state to test their child and otherwise assess the special education service needs. The private firm also held its own evaluation and placement meeting at which time it downgraded the school district's placement facilities and recommended a specific out-of-district placement. At the hearing it was brought out that the firm discussed at its own ERD committee meeting whether it would play an advocacy or adversary role in this particular case. It chose to play the adversary role and proceeded to present its findings in that light, even to the point of preparing its own IEP which could be implemented at the private facility it had recommended.

B. GENERAL CONSEQUENCES

1. Need for additional training/in-service felt at the building level.

Many of the regular teachers commented that they do not feel adequately trained to handle mainstreamed special education students. The district had provided a number of in-service opportunities and encouraged principals to provide additional training within their respective buildings. A number of schools have developed their own pamphlet which identifies specific handicaps, behaviors exhibited with each handicap, and suggested materials and teaching methods. This also is used to assist the regular teacher when considering the referral of a child to special education.

During the 1978-79 school year special education teachers were responsible for completing the educational assessment for all referrals. Most of these teachers felt they had not received adequate training in this area, especially when the testing was to be used to identify a handicapping condition. Further probing during interviews revealed that these special education teachers were actually concerned about identifying learning disabled students. They did not want the responsibility of labeling a student as learning disabled. If there was any question, the results and recommendations of service would be first reviewed by the school psychologist. Another area of concern was in regard to the IEP. As evidenced during the 1978-79 school year, IEPs were not being uniformly written. The interpretation of what comprised the IEP varied from school to school. Teachers felt a great deal of rewriting could be eliminated if the district provided additional in-service to review and clarify how an IEP should be designed.

A number of principals felt that central office should focus more on these in-service needs. Many of the principals interviewed wanted additional training and clarification involved in special education procedures. The principals did acknowledge that the school-based central office person has been effective in providing help with prescribed procedures.

2. The school district opened its own Center for Severely and Profoundly Handicapped.

During 1977-78 the district served about twelve severely and profoundly handicapped (SPH) students placed in a local private facility by the State mental retardation agency. Tuition was paid from district funds and periodic monitoring by both district and state level officials assured that appropriate service was being provided these children. Recent increases in these tuition costs, plus P.L. 94-142 requirements for least restrictive environment, caused the district to compare private placement with development and operation of its own facility. The matter was given the most serious consideration when the private facility announced during the 1977-78 school year that it would no longer accept school aged children; it would become an adult-only facility. This action would cause the district to place SPH children in a private facility much farther away which would increase costs. The district's special education department worked with the business and other departments within the system to develop a plan whereby a recently abandoned elementary school might be converted to an SPH center. The center would be staffed and operated by the district and be included in its operating budget. School board members approved the plan and the new Center was opened in the fall of 1978. It should be mentioned that county officials did not initially believe the district should operate its own center and withheld funds planned for its development. County officials requested the Board to hold a meeting on this particular issue to determine if this type of center was, indeed, what parents thought would be best for their children; did they prefer private placement. Parent response was overwhelmingly in favor of the district operating its own center. Local control, better utilization of funds, parents access to administrators and staff operating the Center were some of the factors cited by parents in favor of the center. County officials released the necessary funds and the center opened on schedule.

3. Special education students transferring to secondary schools presented an additional burden due to incomplete paperwork.

In 1978-79 some of the secondary schools received special education students with incomplete paperwork. Students were sent without appropriate assessment data or with an incomplete IEP. In some cases students had been referred at the elementary school but all of the processing responsibilities were left to the receiving school at the secondary level. Some receiving schools experienced a backlog in assessments as a result of this. At other times IEPs could not be immediately implemented due to a need for revisions; others still required parental approval.

Some of the building principals interviewed believed this problem was due to revised placement procedures and a need to update IEP's written in response to the annual review conducted the prior spring. In actuality, the main problem appeared to be more directly related to the inaction of teachers leaving the system. In a number of instances they decided, on their own, not to write up a new IEP or otherwise prepare a pupils record for transition to another school. Building level staff responsible for monitoring IEP's were overburdoned in late 1977-78 with new requirements and did not detect their incomplete records. Revised procedures now assure that paperwork will be completed for <u>all</u> special education pupils.

4. <u>School building staff are spending more time on paperwork</u>.

One of the major concerns expressed by school staff during the 1978-79 school year was the increased amount of paperwork and additional record keeping now required in the special education process. The responsibility for a great deal of paperwork has been moved from the central office to the building level due to changes in the processing procedures, i.e., placements now approved at building level rather than central office level. There are a total of 12 forms to be completed prior to a student receiving services. These include the referral form, the parental consent form for educational assessment, a written report of the test results, an additional reporting form for those students identified as learning disabled, 3 parental notification forms of placement committee meetings, the IEP forms, and the evaluation report forms for the 60-day review of the IEP, and the annual evaluation findings. There is an additional routing form designed to monitor each referral as it progresses through the process. Due to this paperwork, many special education teachers are assisting the regular teachers in identifying students with possible special education needs to avoid any unnecessary referrals.

5. Requirement for more accurate documentation is a major cause for readjustment of procedures at all levels.

Prior to P.L. 94-142 special education functioned like a categorical type of program with most special education teachers presenting the same material to groups or classrooms of pupils. Decisions on placing pupils into special education programs were often made by individuals; paperwork required for placement was sometimes left to the intuitive sense of the referring teacher. The new law required a revision in past procedures and necessitated a readjustment of staff behavior that is still undergoing change throughout the district.

As a result of P.L. 94-142 each special education pupil must now have an IEP prepared specifically in response to the diagnosed handicapping condition(s). Teachers must sign-off on the elements contained in the IEP; they did not have to do this in the past. Accountability on an individual pupil basis is a frequent topic of discussion.

Decisions on assessments and placements are now made by teams; not by individuals. And any individuals who used to rely upon intuition must now utilize documentation which is accurate and well thought out.

The accuracy of the documentation, regardless of the particular form being used, is placing the greatest demand upon teachers, principals, and central office staff in the implementation of the law. Building level staff tend to interpret this demand as extra time needed to complete forms or as more paperwork. Principals view increased accuracy of documentation in terms of additional procedures to be followed by both building staff and in outside contacts with parents. Central office staff sometimes react to accurate documentation as being-in-compliance, as well as assuring due process for parents and pupils alike. Board members inquire about the so-called increased paperwork at all levels based upon comments they receive from citizens and district personnel.

Readjustment of staff at all levels to the new requirements, in the form of more accurate documentation, has continued from 1977-78 and will probably continue through the next school year.

6. Building principals' role in the special education process has changed and become critical to its success.

With the referral/placement process occurring at the building level, the principal plays a new major role. The principal provides structure and oraniza-

tion to the process and acts as the general manager for each case until the pupil is placed. By request, building principals now have total responsibility for placements within their respective buildings; there is no central office involvement until after the placement decision has been made. The principal is also responsible for reviewing the request for referral with the teacher or school counselor, arranging team conferences and acting as the facilitator during team conferences. These responsibilities also include the 60-day reviews for every new referral and annual evaluations on every special education student. The principal is responsible for monitoring each referral to insure that the allowed processing time is not exceeded.

# CHAPTER III
# CASE STUDY OF SITE C.2

## Case Study Organization

I. THE CONTEXT
   - A. DEMOGRAPHIC
   - B. WEALTH
   - C. GOVERNANCE
   - D. SCHOOLS
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   - F. LEA ROLE PLAYERS
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   - A. ORGANIZATION
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## 1. THE CONTEXT

### A. DEMOGRAPHIC

District C.2 is an urban school system covering about 80 square miles. The projected 1980 population is more than 800,000, a decrease since 1975 of about 20,000. Ethnic composition for the city is approximately half white and half non-white, while the ethnic composition of the school population is about 25% white and 75% non-white. The district encomposes one of the leading ports in the United States with an extremely large container cargo operation. Additional employment is provided by heavy industry including steel and machinery manufactoring, ship building, trucking, and the exportation of chemicals, lumber, fertilizer, sugar, and general cargo.

### B. WEALTH

Information prepared by the State economic and community development agency shows the median household income for the city to be $11,500; for the State as a whole it is $15,500. Per capita effective buying income data for the same period indicates that slightly more than 34% of the households in the city have annual incomes greater than $15,000. The tax rate per $100 of assessed value is $5.99, somewhat higher than the State average.

Poverty level indicators utilized by the district for Title I purposes focus upon census data and free lunch counts. During 1978-79, the Title I program served approximately 44,000 pupils in 198 public and 101 non-public schools in grades pre K-12. The total Title I budget for this same period was about $17.6 million. During the 1974-75 school year, the Title I program served approximately 30,5000 pupils in 206 public and 122 non-public schools. The total budget for this period was about $16.0 million.

Revenues available to the school district include city, State, and Federal sources. The city must raise a minimum amount of dollars through local taxation. A State formula program allows the city to obtain money from the State income tax up to 50%. City funds are raised through local property assessment according to a rate schedule set each spring by the City Council and mayor. State aid to the school budget utilizes a per-pupil formula. In addition, pupil bus transportation costs within the district are reimbursed by the State. Federal funds are obtained through impact aid and other public law disbursements.

C. GOVERNANCE

The governing body for the city includes the Mayor and 19 Council members who are elected to four-year terms. The city is an independent political jurisdication within the State with no overlapping counties, school districts, or other special taxing areas. The city's budget is prepared by a Board of Estimates whose members include the Mayor, Comptroller, and City Council President. The budget is approved or reduced by the Council, which is not permitted to increase it or to add new expenses.

The School Board is composed of nine community citizens appointed by the Mayor for six-year terms. Two secondary level students are also appointed to the Board by a student congress at its annual citywide meeting each spring. The Superintendent and Deputy Superintendents are in attendance at all meetings. The Superintendent is appointed by the Board for an indefinate period of time. Board members spend considerable time conducting a careful review of proposed budget expenditures to assure that the greatest educational impact is obtained for the amount of funds available. For example, in FY78 the Board moved approximately $1 million from athletics to special education to assist in the implementation of the new requirements.

D. SCHOOLS

The school district has 133 elementary schools, 25 elementary middle junior high schools, 17 senior high schools, a general vocational secondary school and 14 schools for exceptional children. The September 1977 enrollment count showed about 80,000 elementary pupils, 40,000 junior high pupils, and 30,000 senior high pupils. In addition, there are about 8,000 pupils enrolled in evening and part-time schools. There are a total of 13,700 administrators, teachers, and related support staff in the district. The 110 non-public schools within the city have a total enrollment of about 28,000 pupils.

E. EXTERNAL ORGANIZATIONS

There are a number of external organizations which cooperate with the school district, especially in the area of special education. The Department of Social Services, the Department of Juvenile Services, and the Mental Retardation Agency are the major local organizations which assist in providing out-of-school placements, many of which are out-of-state. The current emphasis on returning these

pupils to public schools has created a closer working relationship with the agencies. District administrators view this as a positive aspect in the improvement of services to pupils. The Health Department has always provided school nurses and now assists the district in serving more severely handicapped pupils without reimbursement; the district does pay for consumable materials and makes space available as required. Several universities are located in the city and provide diagnostic and treatment to the more severely handicapped on a nominal fee basis. Each of these higher education facilities has a research and/or institute organization which provides services as part of a teaching program in allied medical fields. A number of other private facilities assist the school district with both personnel and services in unique cases. During the 1977-78 school year the Assistant Superintendent for special education estimated his division had written agreements with approximately 14 outside organizations to provide services for special education pupils. There was little indication given during the interviews that any of these outside organizations will seek new or additional funds from the school district for the services they currently provide.

The district has approximately 12 special interest and advocacy groups. Several are associated with local university institutes and clinics and represent a research/medical interest in special education services. Some of the groups focus only upon specific disorders such as epilepsy, Downs Syndrome, and autism. One group has non-public education facilities as its major focus; another is organized for exceptional Jewish children. There is also a mental health association, an exceptional children's council, and a council for developmental disabilities. These 10 groups are interested in the professional and academic aspects of their particular area of concern and maintain a working relationship with district officials as appropriate. Two other groups actively participate in the advocacy role and are more involved with special education matters within the district. These include the Association for Retarded Citizens (ARC) and the Association for Children with Learning Disabilities. Representatives of these two groups encourage parents to exercise their due process rights at all levels of the special education process. They frequently meet with district administrators and building staff to review program offerings and express their

concern in areas where they believe the district is not responding as quickly as they think it should.

The local teacher bargaining agency could be considered a special interest group, although it has not yet been vocal in regard to special education requirements as they relate to the membership. One reason for this is the association's suspension two year ago for an unauthorized strike in violation of its agreement with the Board. During the latter part of the 1978-79 school year the association will be able to return to the bargaining table and district officials expect special education requirements will be on of the topics of conversation.

Non-public schools represent another large group with particular interest in special education matters. During the 1977-78 school year the district received written requests from the parochial schools' administration to share its P.L. 94-142 funds and, in addition, to provide special education staff in schools needing services of speech therapists. The district has not provided funds but has agreed to provide speech therapists on an itinerant basis.

F. LEA ROLE PLAYERS

The school district was reorganized in 1974 based upon recommendations from a decentralization task force appointed in 1971. The entire community provided input to the decentralization/reorganization process which culminated in a joint hearing on the options for decentralizing, co-sponsored by the City Council and the Board of School Commissioners. The school system had traditionally been a centralized organization with the Superintendent of Public Instruction functioning as the chief administrative officer. Three Associate Superintendents headed the divisions of Personnel Services, Curriculum and Instruction, and Administration-Finance-Planning; they reported directly to the Superintendent. A number of Assistant Superintendents and Directors reported to each of the Associate Superintendents. This structure was considered archaic and inefficient for meeting educational needs in this large urban setting. It was generally agreed that a regional organization would provide well-defined procedures by which the views of all segments of local community could be considered before decisions involving them were made. The Superintendent now focuses upon policy issues and works closely with the Board in policy, finance, and new program areas.

There is an Executive Cabinet composed of Deputy and Regional Superintendents with which the Superintendent meets to review district-wide issues of a policy nature. The Superintendent also meets with an Operational Cabinet composed of Deputy and Regional Superintendents and Assistant Superintendents from operating divisions to review ongoing district-wide operational matters. Formal communications procedures are utilized; changes in policies and procedures are explained in directives and/or circulars issued from the office of the Superintendent.

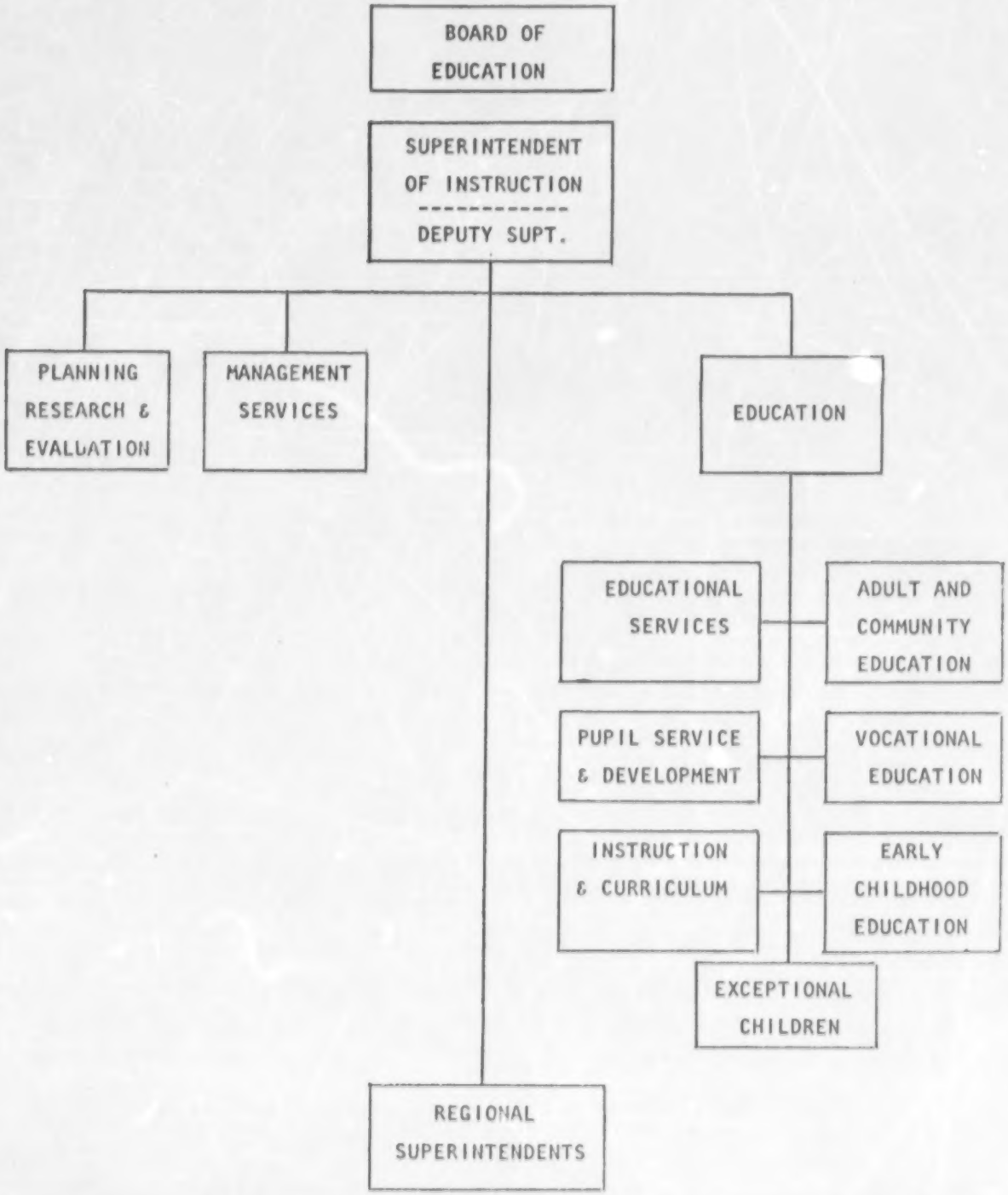
Outside of the Superintendent's office, district administration is broken down into the Bureau of Education, Bureau of Management Services and the Center for Planning, Research, and Evaluation. The Bureau of Education oversees seven Assistant Superintendents who are in charge of divisions which implement policies by developing the procedures to be carried out within the regions in regard to instruction and related services. Special education operates within this bureau organizational framework (called the Division for Exceptional Children - DEC). Central office functions for special education are carried out at the division level under the direction of the Assistant Superintendent, DEC. Management styles vary, but the DEC has specific operating guidelines which generally follow a management-by-objectives format. Lines of authority are clearly designated and established communications procedures are followed in operational matters. Informal communications are also in evidence and serve to assist unit coordinators in carrying out their assigned responsibilities.

G. ORGANIZATIONAL STRUCTURE

The current line-staff organization of the school district is the result of several modifications since reorganization took place in 1974, (see Exhibit C-11). Reporting directly to the Superintendent's office are the three Deputy Superintendents, each heading one of the three administrative structures which have overall responsibilities for the functioning of the school system, i.e., Bureau of Education, Bureau of Management Services, and Center for Planning, Research, and Evaluation. Assistant Superintendents head eleven operating divisions and report directly to the three Deputy Superintendents. A major change brought about by reorganization was the creation of eight regions with consideration given to the common needs and experiences of the communities in each region. Individual regions have a number of elementary schools and one or more junior and senior high

EXHIBIT C-II : ORGANIZATION OF DISTRICT C.2

(MODIFIED)



schools. Each region is guided by a Regional Superintendent who maintains contact with the local community through an advisory council. At the regional office level is a General Resources Team, a Pupil Services Team, and an Instructional and Staff Development Team. These regional office teams are responsible for assisting the schools within the region during the implementation of new procedures and/or programs. Building principals report directly to the Regional Superintendent.

The district education budget appropriated for school year 1977-78 was approximately $280 million, an increase of approximately $50 million from the 1974-75 school year. Approximately $26 million was used for special education purposes. The budget is prepared by the Board of Education and submitted in a period between November-January to the City-Council which usually grants its approval in late July. The City Council is empowered only to reduce the amount of the budget -- not add to it -- which sometimes creates a "shortfall" in local funds for each budget year of between $10 and 25 million. The budget shortfall requires last minute adjustments to the operating budget in order to stay within the approved maximum. During the 1974-75 school year the total budget was $233 million with approximately $16 million earmarked for special education. During 1978-79 special education was funded at $30 million out of the total budget of $288 million.

H. INTERNAL BUREAUCRATIC INTERFACE

The line-staff organization chart for the district reflects the most appropriate channels for getting things done. The large size of the school system reduces the number of informal linkages which can effectively be established. Regionalization requires adherence to established procedures in order to insure comparable operational practices across all regions. The management styles of the Regional Superintendents differ, however, and this is reflected to some extent in the relative ease with which new procedures are implemented. Strong community ties at the regional office level provide a local focus for parents who in the past regarded the system as too big and too distant with which to cope. The current Superintendent of Instruction provides strong leadership which is highly regarded at the community level, as evidenced by the many positive comments heard during interviews with administrative staff and parents within the regions.

Regional offices adhere to Board policy and standard procedures. Building principals differ in their approaches to school operation but maintain their administrative practices in the prescribed manner. There is considerable community pride in each school as attested by the many local activities scheduled for those buildings visited during the study.

Superior-subordinate roles are evidenced at all administrative levels and relate directly to the complexity of the districts' organization structure. Informality exists but mainly within operational units and among administrators working closely in the same area. The most difficult superior-subordinate role interfaces exist at the building and regional office levels. For example, in special education the Division of Exceptional Children has staff at the central office level, the regional office level, and the building level. Central office developes procedures to implement new requirements in referring pupils; regional office further refines these procedures and transmits them to the building level; building level staff put the procedures into practice and guide regular teachers in the referral process. Special education staff at the building level are part of the Division of Exceptional Children but work under the direction of the school principal. Regional office special education staff are also part of the Division of Exceptional Children but work under the direction of the Regional Superintendent. Both of these special education staff groups receive their subject area guidance from the division level but implement it at the regional and building level. They are responsible to the central office special education administrators and also to the regional and building administrators. During the site visits it became evident from interview comments that this apparent division of allegiance does not interfere with the specific responsibilities which must be carried out. In fact, it appeared to provide a feedback mechanism to central office staff at the division level which was useful in revising procedures to accommodate variations in administrative practices at the building level. Building level special education staff spend all of their time working in the school and must establish a positive relationship with the principal and regular teachers. Building principals spoke highly of their special education staff; some of the regular teachers interviewed were not quite as enthusiastic although their major concern was directed toward the new special education requirements in general and not toward the special education staff in particular.

## II. THE SPECIAL EDUCATION PROGRAM

### A. ORGANIZATION

The Division for Exceptional Children (special education office) is directed by an Assistant Superintendent with assistance from educational staff. The Division is broken down into eight service units which focus upon specialized resources for exceptional children within the system. These service units include the following:

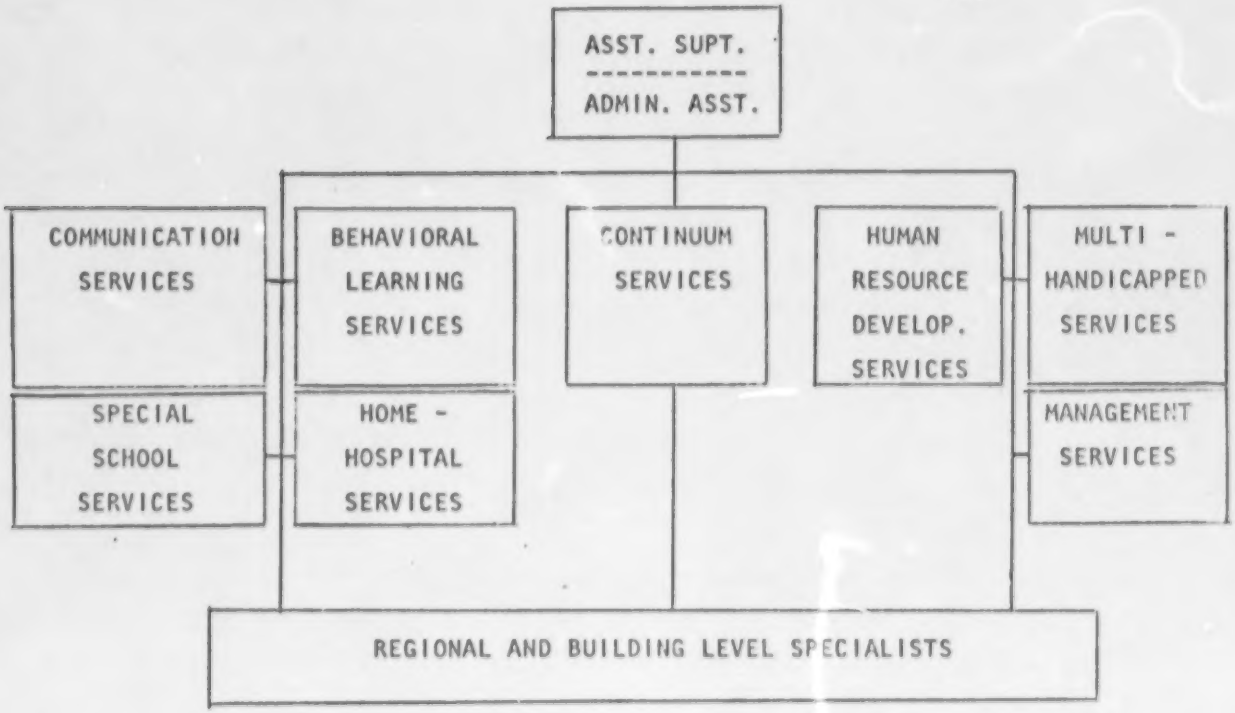
- Communication Services
- Behavioral Learning Services
- Special School Services
- Continuum Services
- Human Resources Development Services
- Home Hospital Services
- Multi-Handicapped Services
- Management Services

Additional personnel from the Division for Exceptional Children function on-site within each regional office and comprise the regional team which provides both service and resource help directly to the schools. Special education teachers within each building work directly with pupils and assist teachers as appropriate. Regional Superintendents may request additional resources from the Division at any time to assist in satisfying a unique local requirement.

Each of the eight service units is headed by a coordinator who has staff composed of various combinations of a senior teacher, education specialist, resource person, educational assistant, school psychologist, diagnostic/prescriptive resource teacher, counselor, staff associate, and others. Thirty-nine professional staff are employed in the eight service units at the division level. An additional 24 professional staff are distributed throughout the eight regions functioning as regional teams. A breakdown of the organization of the Division for Exceptional Children is displayed in Exhibit C-III. The Division for Exceptional Children utilizes a management-by-objectives approach and job descriptions/responsibilities are written for each of the divisional staff positions. The coordinator of each service unit is responsible for carrying out assigned responsibilities and is able to call upon additional talent within the Division as needed.

Operational procedures for the Division of Exceptional Children are contained in a procedures handbook developed within the Division. This document is still in the "first final draft" stages and has become the bible for the professional staff. It contains sections of specific procedures including:

EXHIBIT C-111: ORGANIZATION OF SPECIAL EDUCATION DIVISION
IN DISTRICT C.2
(MODIFIED)



- Administration and Operation
  - School Screening Committee
  - Regional Screening Committee
  - Central Screening Committee
- Evaluation Criteria
  - Evaluation and Diagnostic/Advisory Conferences
  - Regional and Central Personnel Identification

This procedures handbook is an update of many of the various screening committee procedures included in the first year report of the five-year comprehensive plan, but includes much additional information relating to standards and quality of services and/or practices utilized within the Division. Each section of the handbook includes specific information to assist the user in utilizing the preferred procedures whether in an administrative or operational capacity.

The 1974 requirement by the State Department of Education to prepare a comprehensive five-year plan for special education provided an opportunity for school officials to become familiar with many of the current requirements of P.L. 94-142. This early effort required the Division of Exceptional Children to prepare a number of documents for use in meeting the planning and operational demands of the five-year plan. It greatly assisted the district's preparation in meeting the requirements of P.L. 94-142.

B. SERVICES PROVIDED

The special education program within the city school system emphasizes "level-of-service" rather than "labels" previously used in identifying handicapped children. The levels-of-service concept was mandated by the State Department of Education for all school systems within the State; District C.2 has successfully implemented the levels-of-service concept and professional staff are incorporating the new terms into their daily activities. The levels-of-service concept utilizes the following guidelines. Level I includes the mildly handicapped child who can be served in the regular classroom with supplementary services; Level II and III include the moderately handicapped child who can be served in a resource room setting from one to three hours per day. Level IV includes the severely handicapped child who can be served in a self-contained room where most or all of the education program is provided; Level V includes the profoundly handicapped child who can be served in a special school for the entire day;

Level VI includes the profoundly handicapped child who can be served in a residential setting on a 24-hour personal basis. In District C.2, each elementary school can provide Level I, Level II, and Level III services (regular classrooms and resource rooms), many of the schools also provide Level IV service (self-contained or modified self-contained) depending upon the local need in the schools' area. Secondary schools provide the same types of services.

A number of centers provide Level V services. There are eight special education centers that provide service to severely and profoundly handicapped children with intellecutal limitations, one center is for students requiring ancillary services such as physical and/or occupational therapy, one center is for children with multi-handicapping conditions, three centers provide services to pupils with severe emotional impairments and four high schools are for exceptional children with learning disabilities, emotional impairments or intellectual limitations.

C. STUDENTS SERVED

District C.2 was serving about 20,000 pupils from birth to 21 years of age, in special education according to the State Department information system report for December 1978. The largest number of pupils being served were the learning disabled, about 12,000; the second largest group were speech and language impaired, about 3,000; mentally retarded comprised the third largest group, about 2,000 children. The remaining 3,000 children were receiving special education and related services for hearing, visual, emotional, orthopedic and multiple disabilities.

D. PRIORITIES

The major priority during the 1977-78 school year was to train central office, regional office and school-based staff in procedures to implement P.L. 94-142. As a result of State bylaws and the direction of local leadership, multiple criteria assessment and multidisciplinary screening committees were already being used in some, but by no means in all, schools. Educational Management Plans, similar to IEPs but less detailed, were being written for students in special education. The thrust of the training programs in 1977-78 was to alert district personnel of any procedural changes resulting from the implementation of P.L. 94-142 and to train staff in the development of IEPs. Due to the complexity of the school system, training and transition activities from the "old"

system to the "new" lasted from September through April. Many schools did not begin to write IEPs until May; yet the district, under pressure from the State, was requiring them to have all IEPs completed by the end of the school year. Having many IEPs to write and little time to write them became a key problem in order for the district to be in compliance. By the end of the 1977-78 school year, most schools had at least begun the process of setting up the referral, screening, and placement procedures required under law.

In 1977-78 the basic framework to implement P.L. 94-142 was established. In 1978-79 the procedures were refined and revised in order to better cope with the realities of the law and life within the school system. Major priorities in 1978-79 had to do with activities related to childfind, parent involvement, development of quality IEPs, placement, and LRE.

Childfind or referral activities, particulary at the building level increased primarily to the need to "legalize" students who had been receiving special education services but who had not been assessed and placed according to the guidelines outlined in P.L. 94-142. Many of these "old" referrals had to be reassessed using multiple criteria and rescreened by the multi-disciplinary screening committee. In addition to this legalization of old referrals, new referrals continued coming in as well. The assessment and screening experience of the district in previous years helped facilitate this process but could not totally prevent the backlog of referrals which resulted.

Channels have been established for outside agencies or the public in general to make referrals. The childfind office does have a telephone hotline available to the public and will refer contacts they receive to one of the four central office screening committees or the appropriate regional or school-based screening committee.

The State bylaw is more strict with respect to parent involvement than is P.L. 94-142, in that the bylaw requires the district to obtain signed parent consent prior to conducting any assessment for special education rather than requiring parents to be informed when an assessment is about to be done. The State has identified nine points between initial identification and actual placement at which parents are required to be involved and has detailed the extent of the parent involvement for each point. In certain areas of the district, compliance with State and Federal regulations regarding parent involvement has been

difficult. Obtaining signed parent consent in these areas can require several phone calls, letters, a registered letter, and at times a home visit. These activities naturally require staff time and cause processing delays for the student. The district is looking for ways of simplifying the process and making it less time-consuming.

The district is focusing upon improving the quality of IEPs in 1978-79. In the 77-78 school year a State monitoring team made some recommendations which were incorporated into a revised IEP form for 1978-79. The experience of the 77-78 school year has helped teachers to better understand what is required on IEPs. There is now less of a tendency for teachers to either over-generalize or to specify too much detail. A large number of personnel interviewed felt the IEPs being written now are of significantly higher quality than those written at the end of the 1977-78 school year.

Placement is considered a priority because it is dependent upon personnel and it directly impacts upon teacher:pupil ratios both in special education and in the regular education program. As a result of LRE and mainstreaming, more children with moderate handicapping conditions are now being served. In order to make more efficient use of teachers' time, the district sought and received permission from the State to combine modified self-contained classrooms at the secondary level with resource rooms. The district has also decentralized the Division of Exceptional Children by reassigning 13 people from the central office and 27 people from the regional office to school-based positions in order to cope with problems of placement of students.

LRE and mainstreaminig have been emphasized within the district the past few years. The entire school system is a strong advocate of LRE. This influence has been felt throughout the system. Regional screening committees were directed not to approve a placement in a modified self-contained classroom unless the student had first been placed in a less restrictive program such as a resource room. There have been conserted efforts to remove special education from the isolation it experienced in the past and efforts have been made to lessen the associated stigmatization. Considerable emphasis was given to training and orientation at the school level in order to allay the fears regular classroom teachers expressed about having to work with children who are "different." While a certain

amount of anxiety still exists, these concerns are based upon apprehensions about "what would happen if..." not on "what is happening because..."

## III. IMPLEMENTATION PROCESSES

### A. SPECIFIC CONSEQUENCES

Most of the consequences identified through analysis of the interview data relate to individual assurances as provided by P.L. 94-142. In this report section the process description is provided for each assurance examined in the study. Specific consequences are presented at the end of each assurance process description.

1. Childfind

a) Childfind Process

Prior to P.L. 94-142, childfind type activities were conducted exclusively as an in-school project, directed toward helping teachers recognize handicapped children already enrolled in the regular program. There was a structural systematic process for identification in which the regular education teachers referred students to the principal for a psychological examination. I.Q. scores and academic and behavioral problems were the primary bases for placement. By 1976, a local continuum program was being started in the district. School screening committees were being established and monitored from 1976 through 1978 and the majority of schools had functioning screening committees by the spring of 1977-78.

Under P.L. 94-142, an extensive television, poster, and brochure campaign was conducted to encourage referrals from all possible sources. The brochures include a flow chart of services available; all three media carried the childfind telephone number. There is a full-time childfind secretary at this number, as well as a childfind coordinator.

Formal referral procedures for regular education teachers were established in 1977-78 and have been refined this school year. As a result of increased communications between regular education and special education teachers and the procedural safeguards designed to prevent inappropriate placements, regular education teachers are now identifying and referring students who truly need special services.

Communication links have been established between agencies dealing with the handicapped. Depending on the nature and severity of the handicapping condition, a referral from outside the school system (e.g., agencies, social workers, doctors) will be directed to one of the five screening committees: (1) the behavior

and learning committee, which processes all children for placement in a special education center; (2) the home and hospital instruction committee, which deals with those children who will receive instruction either at home or while under hospital care; (3) the State aid committee, which screens those students who are to be rendered services in non-public institutions, either because it is the parent's wish or because the public schools do not have the necessary facilities to care for the child; (4) a multi-level screening committee which handles the severely and profoundly handicapped, within the public school system; and (5) a local school building committee. The first four of these are central office committees. Between these and the local committees, there are seven Regional Screening Committees; but, should a referral be introduced to a regional office, the region will direct a local school to initiate screening.

If it is the central office that is contacted, the childfind coordinator refers the concerned agency or individual to the proper committee. It is not clear who is responsible for filling out the referral forms in these cases. In some instances, the referring agency itself has taken on the responsibility.

When an outside agent wishes to refer a child to a local building screening committee, an informal screening, consisting of an interview with parent(s) and child and a review of available data, is held within 30 calendar days of the request. The interview is held by the principal or a designee from his/her staff or from the school's special education staff. If assessment is deemed advisable, the child is so referred and the forms are filled out by the interviewer and passed on to the screening committee.

When a teacher within the school has initiated the process, s/he has studied the student's cumulative record and has tried remedial techniques within the child's classroom. The teacher then has an initial discussion with an administrative staff person (principal, regular education senior teacher, or special education senior teacher), concerning the child's problems. The teacher completes the referral form with a description of all attempts hitherto made to diagnose and correct the problem. S/he submits the forms and a wide sampling of the child's work to the screening committee. The parents are informed of the referral and the screening committee assigns a case manager to oversee the child's assessment.

All entering Pre-K, K, and 1st grade students are tested early in the school year using a State instrument (this is gradually being replaced by District C.2's own instrument) prepared by the Office of Continuum Services in a program funded by BEH. On the basis of a child's ratings on 36 indicators, s/he may be designated as "high risk" (i.e., with a marked potential for experiencing learning problems). The high risk child's teacher and the regular education senior teacher will decide upon interventive prescriptive techniques to be used in the classroom. If no progress is made, the teacher may fill out the forms for referral to the special education screening committee. The parents are informed by mail of the referral.

b) Childfind Consequences

There are three consequences identified in District C.2 which relate to the childfind process.

(1) Parochial school system has requested both funds and staff from public school system.

P.L. 94-142 has become a source of funds that is much the envy of other divisions within the school system, as well as outside agencies who work with the system in providing services to handicapped pupils (e.g., Health Department, Social Services agency). All of these agencies have become aware of P.L. 94-142 funds and the purposes for which they are to be spent. During the 1977-78 school year some of the outside agencies decided to try to claim some of these monies. These included a neighboring county school system and the local parochial school system.

The neighboring county school system invoiced the Division of Special Education for special education services it is currently providing five pupils who are actually residents of District C.2. The Department of Social Services had placed these children in a group home in the neighboring county five years ago. They have required special education services since this placement and these service needs have been met by the neighboring county system. District C.2 does not plan to pay any amount that has been invoiced for services provided by the neighboring county system. Instead, it is reviewing its own records to determine the number of pupils District C.2 has been serving from the neighboring county which it believes to be far in excess of five pupils. The district plans to share

this information and point out that if both school districts invoice each other that the neighboring system will owe considerably more. This is an interesting impact but not considered a major consequence.

The parochial schools' request for funds is considered a consequence of major importance because it involves considerable money and is a potential precedent-setting situation. Specifically, the parochial (Catholic) school system within District C.2 has requested the Division for Exceptional Children (DEC) to share its P.L. 94-142 funds using the same formula the State applies. The parochial system would utilize these funds as it thinks proper. In a second request, the parochial system asked that the itinerant speech therapy services it has been receiving in some school buildings be made a full-time service through use of P.L. 94-142 funds. District C.2 does not plan to share any funds unless it receives a mandate to do so from the State Department of Education.

The district is presently supplying 3 or 4 speech therapists based upon the number of students requiring speech therapy in the parochial schools. The district is also suppying two staff members who spend about 75% of their time working in the parochial schools conducting staff development and setting up an early identification program, as well as screening, assessment and intervention procedures.

(2) Number of new referrals influenced by teacher attitudes.

Attitudes of regular education teachers with respect to making referrals have been affected by a number of factors including (a) the time and effort involved in making a referral; (b) the availability of openings within the special education program; (c) the need for teachers to be selective when making referrals; (d) the greater variety of services now available; and (e) the use of proficiency tests within the school system. Factors a-c have all had the effect of discouraging referrals. Of the school-based teachers and administrators interviewed, estimates about the amount of time it takes for a regular education teacher to refer a student ranged from 1 to 4 hours of actual work. In some schools the regular education teacher only had to fill out a referral form, gather together some examples of the student's work and document the referral with classroom observations. In another school, the regular education teacher was also responsible for reviewing the student's past records, contacting parents, obtaining permission to conduct an assessment and attending screening committee meetings.

Most referrals come from teachers who teach the lower academic classes and these teachers state they can easily justify referring 10-12 students. If several referrals need to be made, the time required to make a referral becomes an inhibiting factor. The regular teacher would have to spend between 10 and 40 hours beyond his/her usual school day to refer 10 students.

Regular teachers were also reluctant to make referrals because there were few positions open in the special education programs. Even if positions were available, the span of time for a resource room placement averaged approximately four weeks and a self-contained placement averaged six to eight weeks. These time delays coupled with time delays caused by pupils already waiting has had the effect of discouraging referrals. Teachers interviewed said they saw no reason to bother with the referral if the students could not be placed sooner. In one school regular education teachers were told not to make referrals since the students would have to be waitlisted.

Finally, recognizing the amount of time and effort required to refer a student and recognizing that only a limited number of positions were available in the special education program, teachers realized they needed to refer the more seriously handicapped children first. They, therefore, had to select which students would be referred now and which students would be referred at a later date.

There are two factors which had a positive influence on the number of referrals for special education. First there is now a wider variety of services available, especially for the less severely handicapped. Therefore, even if a student does not need a self-contained placement other services can be provided.

Second, the school system is now using proficiency tests in the regular education program. If a regular education teacher senses a child cannot pass the proficiency test, s/he may refer the student for screening to determine if there is a need for special education. However, teachers <u>are</u> held accountable for the progress of the child on the proficiency test including those pupils in special education receiving services at Levels I, II and III.

(3) <u>Most new childfind referrals come from within school buildings</u>.

School personnel estimate that 95% or more of the new referrals for special education come from within the schools. Even with increased publicity

due to the childfind and closer working relations with outside agencies there have been few referrals from outside sources. Parents are likely to discuss any problems with the teachers and have the teachers make the referrals rather than the parents making the referral themselves. Outside agencies will generally make referrals to one of the five central office screening committees for placement in a special education center or residential facility. They seldom, if ever, are involved in school-based referrals.

2. Evaluation

a) Evaluation Process

Prior to P.L. 94-142, assessments were based primarily on I.Q. scores, samples of student's academic work, and notes about any behavioral problems. Psychological examinations were required for any student who required regional screening committee approval for a placement in a self-contained classroom. As more and more school screening committees came into being during the 76-77 and 77-78 school years, more and more assessments were being done using multiple criteria.

A local building's assessment team is made up of the entire special education staff, i.e., its resource teachers, speech pathologists, senior teacher, diagnostic/prescriptive teacher (D/P), itinerant social worker, counselors, and nurse.

When a child, who has received no formal evaluation, is first referred to a school screening committee, the committee assigns a case manager who reviews the referral form for completeness. S/he is encouraged to conduct classroom observation to whatever degree practical and helpful and will make a written summary of the pupil's records.

The case manager is generally the person responsible for contacting the parents, explaining the referral, discussing with them their rights, and obtaining their signatures for permission to assess the child and to receive confidential information. If the first mailing fails to elicit a response from the parents, the case is generally turned over to a parent liaison worker who might attempt to see the family in person and will at least send all subsequent mailings "certified" in order to document attempts at communication.

Once parental permission to assess has been received, the assessment is to be completed within 45 calendar days. The D/P teacher is most often responsible for the actual testing; but it is the case manager (if, indeed, the case manager

is not the D/P teacher) who is responsible for seeing that the testing is done.

Multiple criteria testing is now mandatory. It is possible that one person will conduct all the testing. However, anyone with input to give regarding interpretation of findings or specialized supervision is considered an assessor. The D/P teacher is listed as a qualified examiner in all areas except that of General Health. The seven areas of diagnosis are:

(1) General health
(2) Motor
(3) Language
(4) Visual motor
(5) Behavior
(6) Social emotional development
(7) Academic achievement

The assessment results are then sent to the parents or, when possible, discussed with them by the case manager. The parents are invited to the screening ten days prior to the date set for it. The D/P teacher and/or case manager will have prepared a preliminary IEP, including the child's present level of educational performance, annual goals, special education and related services, the extent to which the child will participate in the regular education program, projected dates for initiation of service, and anticipated dates for completion of service. If confusion, unanswerable questions, or conflicting data surface at screening, the child is reassessed or more fully assessed and the results are submitted to screening. After placement, the receiving DEC teacher updates the IEP with specific short-term instructional objectives, and objective criteria and evaluation procedures for determining annually whether or not these short-term instructional objectives are being met. S/he provides continuing assessment (in some regions, checks are made as often as once a month) and is accountable to the screening committee. Within 60 school days a formal reassessment is brought before the screening committee by the resource teacher (with feedback from the regular teacher). The IEP may be changed on the basis of this reassessment.

This year each school was to have been assigned at least on D/P teacher, in contrast to last year when the D/P teachers were itinerant personnel serving five or six schools. Due to budgetary considerations, not all schools this year have a D/P teacher, however. In such instances itinerant D/P teachers are used or the special education senior teacher will assume these additional responsibilities and may share some of the additional duties with other school-based

special education staff. The special education senior teacher or department chairperson is critical to the assessment and screening process. S/he functions as an instructional support specialist to both regular and special class teachers in the development and implementation of a special education, individualized program. S/he serves as a member of the school screening committees, attends regional and central screening committee meetings, provides direct or indirect instructional consultation services, provides child assessment documentation, assists in the preparation of the IEP, monitors prescriptive progress of exceptional children, etc.

The regional screening committees also have diagnostic prescriptive personnel; specifically, their itinerant D/P teachers and a psychologist. The D/P teachers conduct much of the assessment at the local level, are normally responsible to five or six buildings, and can be called upon to conduct assessment for the regional screening committees, if it is needed. The psychologist conducts any needed psychological evaluation and a region may also refer a case to any one of the local building's personnel for further evaluation.

Assessment at the central office level is not a stricIty defined procedure. Usually, by the time a child's case has reached this level, all necessary assessment has been made. However, a child may be remanded to the referring agency for additional assessment. The psychologists and other specialists at the central office level may, if they see fit, conduct further assessments. Each of the four central office screening committees has recourse to diagnostic prescriptive personnel.

b) Evaluation Consequences

There are two consequences identified in District C.2 which relate to the assessment process.

(1) School personnel want to assess students without parent permission.

Both special education teachers and school administrators believe assessment is an integral part of the total education process and that, if they are to do their job properly, they should be allowed to assess students without encumbrances. Obtaining parent permission to assess students represents a major time delay to providing services in some regions within the district. School personnel

will send home letters with the students, mail registered letters, make telephone calls, and make home visits; there are still parents who do not wish to be bothered and refuse to sign anything.

The teachers and administrators do recognize the importance of involving the parents in the process at the right time. They believe that parents can give valuable information about the child which may not be available in school or medical records. Yet school personnel see no need to alarm the parents if the assessment indicates the student does not need special education services. It is felt that if the assessment does indicate a potential need for special education placement, that is the time to confer with the parents, not before. School personnel interviewed felt obtaining parent consent prior to conducting an assessment was, at the very least, a nagging detail in the process which in a few extreme cases could cause serious time delays in placement.

(2) School staff provide some type of special education service before evaluation/placement is completed.

In order to cope with the delays in the processing procedures, some schools allow students to "visit" special education classes or make "temporary" placements until processing procedures are completed. School personnel justify this action for two reasons. First, they are able to provide services to the students sooner than they could if they follow the usual procedures. Early placements lessen the possibility of any more serious problems arising while the student is not receiving services. Second, these "temporary" placements or class "visitations" provide additional information to the receiving special education teacher which could be useful in doing a more thorough diagnosis and assessment and in writing the IEP.

Other schools visited had established regular education "adjustment" classes or made use of other regular education remedial programs such as Title I classes or High Intensity classes in order to begin providing some sort of service before the placement processes were completed. Schools have also used the LRE provision and mainstreaming as justification for moving the less severely handicapped students out of one special education program and into a less restrictive program or into a regular education remedial program in order to open positions for the more severely handicapped

3. Placement

a) Placement Process

In 1973, a special education task force completed a study and concluded that there was a definite need within District C.2 for resource room assistants for students who were marginally handicapped but for whom no intervention was being provided. As a result of this finding, approximately 200 resource room teachers were trained and placed in the schools during the 1973-74 school year.

Prior to this many schools offered no services. Principals (screening committees were not functioning at this time) had only two options (1) going to a regional screening to obtain approval for a self-contained placement, or (2) offering an intervention service within the school usually by a reading teacher or some other classroom teacher.

With the establishment of resource rooms, principals had the flexibility of placing a student into a special education resource room for a short time without having to get regional approval. Resource room placements did not require any psychological evaluation. The primary placement criteria still consisted of behavior, low academic performance, and I.Q. scores. Beyond the special education placement options the principal had one other option, suspension. Disciplinary removals and suspensions have decreased since P.L. 94-142.

During this time very little was happening in terms of informing parents about changes in placement. One special education teacher who worked as a regional specialist in 1974 said parents were "sometimes" informed of a change in placement but that "often the kids were referred, evaluated and placed and the parent had no idea until report cards came out."

Now, regardless of level of placement, parental approval is required. It is obtained by the child's case manager. In the case that approval is refused, the LEA can call for a hearing but this option has never been used. The schools are encouraged to "negotiate" with the parents and to take a case through all levels of screening before considering legal alternatives.

When the screening is held before the screening committee, the case manager and/or D/P specialist has already prepared a "skeleton" or preliminary Individualized Education Program. The recommendations are discussed, opinions are solicited, the parents and child, if present, are consulted and placement is decided, with considerations as to the Least Restrictive Environment

appropriate for that student. If self-contained placement is recommended, the review is sent from the building or local screening committee to the regional Screening Committee for approval. If the region disagrees with the lower committee's recommendation, it may decide upon any less restrictive placement, and the child is so placed. If, however, the region recommends a more restrictive placement (e.g., a special environment school or a residential setting), the review is then sent to one of the central office screening committees, most often to the Behavior and Learning screening committee, which processes all severely handicapped children. If the central office committee disagrees with the region's recommendation, it too has the power to prescribe any less restrictive environment, and the child will be so placed.

Once approval is received, placement must be made within 30 school days of the final screening committee's approval. It often happens that space is not available for the child at the recommended level of placement. Although many schools admit to "waitlisting" the child, it is the stated policy of the central office that no waiting list be established, that when proper placement cannot be provided, then a lesser appropriate placement is substituted so that every child receives some services.

P.L. 94-142 has changed somewhat the structure of the screening committee. They are not structured to provide only for IEP development. The local screening committees consist of a chairperson (principal, assistant principal, senior special education teacher), the parents, a special education representative, the referring teacher, a member of the assessment team, and the student, when approriate. The school nurse is more frequently involved since P.L. 94-142. Prior to P.L. 94-142, the child's regular teacher and the special education staff would meet to discuss the program. It is generally agreed that screening is "tighter," more refined, and more fully documented.

The regional screening committees consist of the special education specialist as chairperson, personnel from Pupil Services (psychologist, social worker, etc.), and senior teacher (a teacher level position, but basically semi-instructional when providing supervision and consultation).

At the central office level, the Behavior and Learning screening committee consists of two chairpersons - the education specialist for pupil services and the psychologist. In addition to the chairpersons, there are the education specialist from the region, an outside agency representative, a principal or

special education department head from a special school, a representative from the communicative disabilities unit, the parents and the child, as appropriate.

b) Placement Consequences

There are two consequences identified in District C.2 which relate to the placement process.

(1) Teachers recommend change of special education services for some students to make room for new placements.

Special education teachers in many elementary schools have felt the need to remove or modify intensity of service early in cases of less severely handicapped pupils, so that those in more urgent need or those who have never been served could be accommodated. Individual schools which experienced longer backlogs of pupils to be screened and placed have given the greatest attention to this procedure. They have attempted to identify informally those pupils already in the special education program who are responding to the service they receive to the point where it is thought reasonable to terminate them from the progra earlier than originally scheduled. This has occurred primarily with pupils in the program prior to the implementation of the new special education guidelines. These pupils are less severely handicapped and it is anticipated they will continue to improve when returned to their regular classroom and continue to be provided additional extra attention by the teacher. This process of terminating selected special education pupils early has opened up service positions for unserved as well as more severely handicapped pupils.

(2) Improved procedures resulting in fewer invalid placements within schools.

Students are no longer placed into special education on the sole basis of I.Q. scores, behavioral problems and/or academic performance. Through the use of the multidisciplinary screening committees and multiple criteria assessments, teachers know that the referrals must have adequate justifications and documentation before any placement will be made. Thus teachers are less likely to refer students to special education who may be causing or having problems in the regular classroom but who do not need special services.

A large majority of special education teachers and school administrators interviewed acknowledged that 90-95% of the new referrals the schools are now receiving are valid, i.e., referrals of children who need and eventually will receive some form of special service. A few special education

or parallel), it is difficult to tell which students are going to a special education resource room and which students are moving to other regular education programs. Furthermore, some regular education teachers have difficulty distinguishing between special education resource and other regular education remedial programs such as Title I classes and high intensity classes.

The district has also received approval from the State to combine resource and modified self-contained classes and to make better use of special education staff.

Students receiving special education resource service may also be placed in one of the regular education remedial programs on a trial basis, if the school screening committee approves such a change in placement. The screening committee responsible for the initial placement reviews each case 60 days after the placement was made to insure that the placement meets the needs of the students, and will recommend a change in placement if deemed appropriate. A majority of school personnel recognize social benefits resulting from the district's efforts to mainstream and make LRE placements. Few students though are ever mainstreamed back into regular academic classes, although some may be placed back into regular remedial classes. Generally, mainstreaming occurs in non-academic classes and has been found to be relatively unsuccessful when tried in academic areas. Many teachers, both regular and special education, have also expressed concern that the district has placed too much emphasis on LRE placements and too little emphasis on "appropriate" placements.

b) Least Restrictive Environment Consequences

There are three consequences in District C.2 which relate to the least restrictive environment process.

(1) Mainstreaming seldom occurs in academic areas.

Efforts to mainstream special education students into the regular education program are primarily concentrated in non-academic areas. In resource classes special education teachers interviewed estimated that as few as 5% of the students were mainstreamed back into any regular education program and in self-contained classes the percentage was estimated to be even lower.

Regular education teachers said that few of the special students who were mainstreamed into an academic program could meet the academic standards set by the regular education teacher. Students in resource rooms normally performed better than they did in regular education classes, because the lower student:teacher

ratio provided them with more individualized attention and the curriculum they were taught placed greater emphasis on remedial skills geared more to the individual student. In a survey of secondary special education classes conducted by DEC's human resources unit in March 1978, over three-fourths of the special classes taught curriculum which differed to some degree, from the regular curriculum. Mainstreaming in academic areas occurs more often in elementary schools than in secondary schools because of the closer working relationship between special education and regular education teachers.

Although mainstreaming does not occur as much in academic areas, most schools are making efforts to mainstream special education students into non-academic regular education programs and to reduce the isolation of the special education department by bringing special classes into the main school building rather than leaving them in a remote part of the campus. Resource students, by definition, spend at least half their school day in regular education classes and go to the resource room for one to three periods. Students from self-contained classes also at times, take such courses as music, art, and physical education with the regular education classes. These efforts, according to many teachers and administrators interviewed, have been effective in reducing the isolation and stigmatization of special education students both with their regular education peers and with the regular education staff. Mainstreaming has worked well socially, but academically, once a child is placed in special education classes, s/he tends to remain there.

(2) The district has made concerted efforts to place students into LRE.

As a result of P.L. 94-142, District C.2 has made several organizational and administrative changes to insure that special education students would be placed in the least restrictive environment. According to the central office coordinator of administrative services, approximately 100 students have been transferred from State institutions to special education programs in schools within the district since P.L. 94-142 became law. The district is also following the policy that placement must first be made in a less restrictive environment, before a placement in a self-contained class will be approved by the regional screening committee.

teachers estimated that in previous years only 60-70% of the children in special education actually needed those services and one special education teacher who had worked at the regional level said there were four times as many inappropriate referrals as there are now.

While estimates by school personnel of valid referrals were in the range of 90%, a report to the State last year indicated that only 1/3 of the new referrals received appropriate placements. District staff felt this discrepancy was due to several factors. First, the teachers' estimate includes students who received some level of service, even if the appropriate level of service was unavailable. The central office count only includes those students receiving appropriate levels of service. Any student on a waiting list or receiving less than appropriate services were not included in the central office's count of valid placements. Second, school personnel were likely to include as new referrals students transferring in from other schools, even though these transferring students were receiving special education in their previous schools. Transferring students were not counted as new students in the count at the central office.

4. Least Restrictive Environment

a) Least Restrictive Environment Process

The concept of LRE is emphasized in District C.2 and is taken into consideration whenever placements are made. For example, regional screening committees will not approve a self-contained placement unless the student has first been placed in a resource room or has been given supplemental services in the regular classroom.

Since special education centers and residential institutions are not a part of comprehensive schools, the concept of mainstreaming with respect to Level V and VI educational programs is generally inapplicable. Least restrictive programs are located within the comprehensive school building and mainstreaming, to various degrees, can be and is taking place. Many schools have brought the special education classes from isolated settings on the school campus back into closer proximity with the regular education classes. Students in self-contained classes may be mainstreamed into some non-academic class such as P.E., art or music during the day and, at times, have lunch with other regular education students. Students receiving 1-3 hours of resource room per day spend the remainder of their school day in regular education classes. Indeed, since many schools are departmentalized and have differing time schedules, (mosaic, flexible, block,

In July 1977, the district's assistant superintendent for special education requested and received permission from the State's Assistant Superintendent for Special Education to combine resource and self-contained classes. Although the impetus for this organizational change was primarily to make more efficient use of the special education staff, it had the effect of providing an LRE to self-contained classroom students as well.

Despite the more lengthy processing and placement procedures mandated by P.L. 94-142, school staff have mentioned that there is greater mobility between special education and regular education programs. Although the transferring processes take longer than they did in the past, more students are entering and leaving special education programs or are transferring to a different level within the special education program because there is a now a greater variety of less restrictive options. Several years ago it was easier to get into a special education program because assessments were not as thorough and screenings were not as structured. Once placed though it became difficut to get out. Now it is easier to transfer out of the program or to another placement, if services are no longer needed.

A large majority of school personnel expressed positive attitudes about this increased mobility between programs but they also expressed concern that the district is emphasizing LRE placements and mainstreaming at the expense of appropriate placements. The fact that regional screening committees will not approve a self-contained placement unless a less restrictive placement has first been tried is one point of contention expressed by many school principals and most school special education teachers. Both regular education and special education teachers also felt students were transferred into LREs or mainstreamed too soon and for reasons which did not necessarily pertain to the welfare of the child, i.e., to insure compliance with the law or to open up additional positions for new referrals. Central office personnel are having similar problems with the State when they request non-public placements for district students.

(3) Unique implementation problems occur at the secondary level.

A number of unique problems have occurred at the secondary schools with respect to the implementation of P.L. 94-142. Several of these problems center around the fact that secondary schools are departmentalized and school staff are

more subject-oriented than student-oriented. In elementary schools a teacher is likely to have one class all day or a small, closely knit team of teachers are responsible for a few classes. The teacher is more likely to know personally her/his students than a secondary school teacher who works with approximately 150 students a day and who generally works independently from other teachers in the school.

The fact that secondary school teachers tend to be more subject-oriented is one reason why there appears to be stronger opposition to mainstreaming at the secondary level. Proficiency tests pressure the teachers to teach the curriculum rather than the student, making teachers less inclined to give mainstreamed students the individualized attention they need. Secondary teachers are less familiar with individualized teaching techniques than are their elementary school counterparts, and are therefore unable to give the needed individualized attention. If an individual is doing poorly in a secondary regular education class, there is a tendency to transfer him to another class, often special education, rather than seeking alternative instructional methods to meet his individual needs.

Secondary teachers are less likely to know their students personally and, therefore, are less likely either to recognize a special education need or to make a referral to special education. They are more likely to refer students who are generally disruptive influences in the class.

The special education program is primarily one of remediation and is generally conducted in isolation from the regular education program. The regular education secondary teacher expects the resource teacher to do remedial work and sees no need to confer with that resource teacher since the regular teacher no longer has to deal with that particular student in his/her class.

School departmentalization causes additional administrative problems. Resource classes are not always available when students are scheduled to attend them. Therefore, his total class schedule must be revised. The special education department itself is often departmentalized which presents problems if attempts are made to mainstream a child back into a regular class for some period during the day.

Parent involvement generally becomes less intense as children reach the secondary level. In a few secondary schools visited, three-fourths of the IEPs had not yet been signed by the parents and getting parents to attend screening committee meetings was a problem of equal magnitude.

Finally, in at least one secondary school visited, there are no 11th and 12th grade self-contained classes. Special education students coming from a 10th grade self-contained class were enrolled into resource rooms and/or into regular classes. According to school personnel many of these students failed in the regular education program and a few eventually dropped out of school due to lack of services.

5. IEP

a) IEP Process

In the 1974-75 school year very little was happening in the majority of schools with respect to developing and writing individualized education programs for special education students. A State continuum program was being piloted in three or four schools in the district and within these pilot schools Educational Management Plans (EMPs) were being written. The EMP was the end product of the continuum program's multiple criteria assessment and provided a "total service" plan, more general than, but similar to, what the IEP provides. The EMP, however, did not contain specific short-term instructional objectives as are included in the IEP.

In 1976, the school district through DEC introduced a continuum program in approximately 30 elementary schools. The program contained EMPs similar to those written in the pilot schools for the State continuum program. The majority of schools within the district, however, were still writing behavorial objectives based upon results of the Iowa Test for Basic Skills and similar standardized tests. The criteria for admission to a special education program were still behavior and I.Q. scores.

By 1977-78, the majority of elementary schools were participating in the continuum program to write IEPs in May and June of 1978. Most teachers interviewed said they were able to get IEPs written for their students but felt the IEPs were of low quality and were not useful because of the time frame in which they were written. Teachers also noted that many of these IEPs were not signed by the parents. Central office special education personnel interviewed estimated

that only one-third to one-half of the special education students in the system had updated IEPs by the end of June 1978.

1978-79 is the first year in which IEPs are being written in most of the schools in the district. District C.2 has adopted the plan and timeline described in the State's bylaw for the development and implementation of IEPs. Under this plan the special education coordinator assigned to the case (case manager) consults the cumulative file for the child and his/her assessment results. Based on all available data (which may include parent/child interviews, and classroom observation), a preliminary IEP is written, before screening, describing:

(1) the child's present levels of education performance

(2) annual goals, including short-term instructional objectives

(3) specific special education and related services and the extent to which the child will be able to participate in regular education programs

(4) projected dates for initiation of services and anticipated dates for completion of services

(5) approximate objective criteria and evaluation procedures for determining at least annually whether the short-term instructional objectives are being met.

The screening committee reviews the assessment, recommends placement and approves or amends the IEP with specifications. Input is elicited from the chairperson of the screening committee, the parents, the representative from DEC, the referring teachers, the sitting member from the evaluation team, and when appropriate, the student. Written parental approval of the program is required and is the responsibility of the case manager. Within 30 calendar days, the IEP is written by the case manager (or in some cases, by the special education teacher with whom the child is to be placed) and approved by the screening committee. Within the next 30 school days, the IEP is implemented. The maximum time elapsed for the entire process, from request for screening to implementation of the IEP is 26 weeks, 3 days. DEC attempts (within staffing allowance) to monitor the regular and/or special education teachers who are implementing the IEP. Within the next 60 school days, the IEP is reviewed for appropriateness by the screening committee. An annual review is conducted each May by the screening committee, based on observation and testing data supplied by the special education teacher who is providing the child's services and the child's regular teacher. Findings are

compared to a check-off list of objectives, based on the IEP.

A couple of deviations from the State's plan for IEP development and implementation were noted in the schools visited during 1978-79. First, the preliminary IEP did not include specific instructional objectives and evaluation criteria. These objectives and criteria, along with projected initiation and anticipated completion dates were written in an "updated" version of the IEP by the receiving special education teacher.

Second, the IEP was normally updated after the student was placed into the special education program, not before. This allowed the special education teacher to get to know the student before prescribing specific instruction objectives and methodologies for the IEP. Parents signed the preliminary IEP, were informed of any changes in the updated version, and were expected to sign the updated version as well.

These deviations only occurred for placements made by the school screening committee. If a placement needed regional or central office approval the total IEP was written before the higher level screening took place.

Finally, it should be noted that the timeline suggested in the State bylaw sets maximum limits for completion of an activity. Normally, these activities are completed well within the guidelines. For example, State's maximum elapsed time for completion of the entire process is 26 weeks, 3 days. The average time elapsed for completion of the entire process is only 3-4 weeks for in-school placements and 10-12 weeks for regional placements.

b) IEP Consequences

There are four consequences in District C.2 which relate to the IEP process.

(1) IEPs create more work.

Most school personnel recognize the value of IEPs, but more time, personnel and resources are needed to prepare them adequately Of those teachers interviewed, the average time spent preparing and writing one IEP is about four hours, with a range of from one to nine hours. A few teachers indicated that these times are diminishing as the teachers become more familiar with the process of preparing and writing IEPs.

IEPs have created more work because they include specific short-term instructional objectives which were not included in the educational management plans written by teachers prior to the law. Much of the resentment toward IEPs results

from the need to detail specific instructional objectives. The earlier management plans contained a total service plan very similar to what is included in the IEPs excluding the instructional objectives. Special education teachers believe that the IEP should describe a total service plan including present levels of educational performance, long-term goals, special education and related services to be provided, the extent to which the child will be able to participate in the regular education program, and dates for initiation and completion of services. They view the short-term instructional objectives as an unnecessary detail which is useless to anyone but the teacher.

This resentment was compounded when the teachers found it necessary to take time away from class to write the IEPs. Approximately half of the teachers interviewed said they had to use their own time to complete the IEPs. Teachers in general want to be in the classroom working with students and those interviewed said they view the paperwork as an increasing burden and obstacle which prevents them from providing the needed services. The professional committment of the majority of teachers interviewed is being stretched by the imposition of duties and responsibilities which interfere with classroom instruction. The vast majority of staff interviewed at all levels agreed that the bubble that represents their commitment is bulging and may soon burst if provisions to deal with these non-instructional activities are not forthcoming.

(2) IEPs which accompany transferring students are not useful to receiving teachers.

IEPs which accompany students in transition from one school to another or from a public school to a nonpublic school placement were found to be of little use to the receiving special education teachers. Receiving special education teachers tend to reassess transferring students anyway to ensure that they are meeting the students' needs. Such reassessments normally consist of formal diagnostic/prescriptive testing along with teacher observations made while working with the student. Teachers noted that IEPs of transferring students were outdated, and generally did not reflect the current functioning levels of the transferring students.

They also mentioned that the short-term instructional objectives contained in these IEPs were too specific to be useful and were often related to a certain set of materials which the receiving teacher did not have. Another concern

expressed by teachers was the fact that what works well for one teacher does not necessarily work well for another. If, as most teachers suspect, IEPs will be used as an accountability tool, teachers want to be held accountable for something they have written, not something someone else has written.

Secondary school teachers, commenting on IEPs received from feeder schools, expressed concern about their usefulness at the secondary level and mentioned there had been a few cases(8 out of 120) in which feeder schools had classified special education students as regular education students or vice versa. Some teachers and administrators noted that in a few instances IEPs of transferring students were not forwarded and they suspect had never been written.

Two positive points can be made about IEPs of transferring students. First, although teachers conduct their own assessments and write their own instructional objectives, the IEP does serve to reaffirm the findings. Second, P.L. 94-142 has begun to force feeder schools to write IEPs. Although there are times when the IEPs are not written or when the quality of the IEP is questionable, schools which were doing little or nothing before the law are now obligated to produce something.

(3) Quality of IEPs improving as teachers gain experience in their preparation.

IEPs were not written on a large scale within the school district until May 1978. Teachers in at least one school were told by regional personnel that if IEPs were not completed by the end of the school year the special education program might lose funding. Teachers expressed concern that they had not been completely trained to write IEPs and that they had to write IEPs for all their students within a short period of time. Teachers worked hard to finish writing IEPs but they admitted the IEPs were of low quality and were not used during the 77-78 school year.

The 1978-79 school year was the first full year of implementation with respect to IEPs. IEPs were written for most of the special education students by the first part of the school year. The experiences and familiarity gained by the teachers as they attempted to write IEPs the previous May and June helped to make writing IEPs easier this year. Their increased knowledge about what was expected of them improved the overall quality of the IEPs.

The district has given building level special education department heads a number of additional responsibilities which are directly related to the implementation of P.L. 94-142. One of these is to supervise the development and implementation of IEPs in terms of the quality of the IEP and the degree to which IEPs are being used in the classroom.

The degree to which teachers accepted IEPs was dependent upon the individual teacher. In general though, it could be said the older teachers were less willing to use IEPs. They felt IEPs were helpful to younger teachers in planning lessons, but felt their own teaching experiences made such detailed lesson planning unnecessary. Older teachers generally preferred to continue keeping their own lesson plans along with the IEP even though this involved a duplication of effort.

The majority of teachers, however, felt IEPs could be beneficial given the appropriate time, personnel, and resources to fully develop them. They felt the quality will improve with experience as teachers learn by trial and error. Younger teachers who do not have strong personal preferences about how to plan and conduct their lessons are more likely to have positive attitudes with respect to IEPs and through attrition of the older teachers these positive attitudes are likely to increase.

(4) Special education teachers view IEPs as an accountability tool.

The majority of special education teachers interviewed feel IEPs will eventually be used as an accountability tool. One special education teacher expressed her feelings by saying, "...its accountability for the teachers. 'Are you doing your job on these kids? Why aren't these kids learning?' That's what it's for, that's it in a nutshell, it's the bottom line. It's accountability for the teachers. You better get off ... and do it!" One elementary school principal remarked, "Why are IEPs written if not to be used for accountability?"

The issue of accountability has received much attention this year within District C.2 with the implementation of proficiency tests throughout the system and the directive for schools to begin establishing promotional policies. Special education students receiving services less restrictive than those provided in a self-contained classroom, are expected to take the proficiency tests along with the regular education students and the same general promotional policies will be applied to them. There are some inherent problems in giving

the same proficiency tests and applying the same promotional policies to special education and regular education students and these problems have not yet been resolved.

Although many special education teachers felt IEPs would be used as accountability tools, a majority of these same teachers felt they should be held accountable for what they are doing if certain conditions are met. The first condition was that realistic expectations must be set. The view that a child receiving 2-3 hours of resources work each day could pass a proficiency test given to a regular education child and that the same blanket promotional policies could be applied to both students were not regarded as being realisitic. The second factor which school personnel said needed further consideration was the idea that LRE is necessarily the best or most approriate placement. One special education teacher in an inner city school pointed out what he believed to be a fallacy in the philosophy of mainstreaming. "We are assuming that the regular classroom (in the inner city) is a desirable place for students to be." If, however, realistic expectations can be set and if assurances can be given that LRE and mainstreaming will not be misused, then most teachers see no reason not to be held accountable.

6. Due Process/Parent Involvement

a) Due Process/Parent Involvement Process

Due process, in the sense of conducting formal appeal hearings, has not been an issue of major concern within the school system. Disagreements between parents and the school system are usually settled through negotiations and seldom require an impartial hearing officer. If the need does arise, however, a parent appeal process has been established. An impartial hearing at the school level can be arranged through a "contact" person named on one of the parent approval forms.

Due process is of concern to school personnel in three other areas. First, school personnel are required to follow, in a step-by-step manner, the mandates of the law and to have the appropriate documentation even though the process itself, according to persons interviewed, is a hindrance to delivery of services. Second, school administrators feel they are being compelled to assume the roles of law enforcers, social workers and psychologists. They feel unqualified in these roles and fear legal ramifications. Third, the number of hearings between the district and State with respect to non-public school placements has

increased dramatically. According to the central office coordinator for non-public placements and State aide administrator, there had been only one formal hearing in the three or four years prior to P.L. 94-142, but from September 1977 through July 1978 there had been 56 such hearings.

Once a child is identified as having a reasonable likelihood of needing special education services, written parental permission is secured before a formal assessment is made. This is the responsibility of the case manager, assigned by the screening committee to the particular child. (As in every instance where written permission is necessary, if the first attempt at communication with the parents by mail has failed, the second communication is by certified mail. All attempts are documented.) The parents are informed in writing of the assessment results, of the possibility of the need for special education services, and of their right to participate in the screening committee meeting. When feasible, the case manager meets with the parents beforehand and discusses the assessment results with them. Furthermore, they are invited to participate in the development of their child's IEP. Written parental approval of the IEP is then required, and written parental permission must be obtained for placement and for reporting of the placement to the State Department of Education. A 60-day review of the appropriateness of the IEP is conducted; the parents are informed of the results, and their written consent must be secured for any change from the original. Finally, the annual review of the IEP is summarized and reported to the parents.

The extent of parent involvement has increased significantly over the years prior to P.L. 94-142. As was mentioned in the section on Placement, parents prior to P.L. 94-142 were "usually" but not always informed that a placement change had been made.

Although the vast majority of district personnel interviewed view parent involvement as being very important, the time consumed in obtaining parent approval and the resulting delays in delivery of services have caused many personnel to question whether or not it is really worth the effort.

The outline in Exhibit C-IV summarizes the extent of parent involvement as implemented by District C.2 as required by the State.

EXHIBIT C-IV: STATE REQUIREMENTS FOR DUE PROCESS/PARENTAL INVOLVEMENT USED IN DISTRICT C.2

The child is identified through routine screening as having reasonable likelihood of needing special education services.

Step 1 - Written parental permission is secured before assessment.

Step 2 - Parents or guardians are informed in writing of the assessment results and of the possibility of the need for special education services.

Step 3 - Parents are informed of their right to participate in the functions of the Admission, Review and Dismissal Committee.

Step 4 - Parents are required to be invited to participate in the development of the Individual Education Program (IEP).

- o a statement of present level of functioning
- o a statement of annual goals, including short and long term goals
- o a statement of specific special education and related services to be provided and the extent to which the child will participate in general education
- o projected date for initiation or each service and expected duration
- o objective criteria for evaluation of effectiveness of the IEP
- o statement concerning any special transportation needs

Step 5 - Written parental approval of the IEP is required.

Step 6 - Written parental permission is obtained for placement and reporting of placement to State Department of Education.

Step 7 - The appropriateness of the IEP must be reviewed within 60 school calendar days of its initiation.

Step 8 - Written consent of the parents must be secured for any change from original IEP as a result of the 60 day review.

Step 9 - A review of the IEP must occur annually thereafter and a written summary must be reported to parents.

b) Due Process/Parent Involvement Consequences

There are three consequences in District C.2 which relate to the Due Process/Parent Involvement process.

(1) The State Department of Education is encouraging the district to make fewer non-public placements.

Prior to P.L. 94-142 there had been only one formal hearing in the past three or four years in regard to non-public placements. Last year (1977-78) and through August 2, 1978, there had been a total of 56 hearings according to the district's coordinator for non-public placements, each side winning approximately half the cases. Many other cases did not get to a hearing because either the city or the State reluctantly gave in. As a result of these hearings city/State relationships were characterized as being "very strained."

(2) Parents rely heavily on school personnel to make appropriate placement decisions.

Although the increased parent involvement has had a number of benefits both parents and school personnel interviewed feel parents continue to rely heavily on the school to make appropriate placement/decisions for them. Both parents and school personnel question how fully-informed parents are when giving their consent for an assessment or placement. Both groups see a need to provide parents with more detailed information and some degree of training, but the resources in terms of time and money to do this are inadequate. Teachers feel when parents do attend the screening meetings there is a tendency for the school personnel either to oversimplify certain problems for the parents or to talk over the parents' heads. Parents, for their part, are generally willing to consent to whatever the school committee recommends, whether or not the consent is "informed." Parents do regard the schools as being the expert in such matters. Both uninformed and well-informed parents see the schools as basically being child advocates, although the better informed parents are more likely to recognize the constraints under which the schools must work.

(3) Parent involvement and interest in special education is increasing.

In 1974 parent involvement was minimal. Parents were usually informed of any change in placement; they were seldom informed in the initial assessment stages.

Since then, school and regional personnel confirm that there has been a noticeable increase in parent participation. School personnel notify parents at several points during the processing procedure as outlined in the State bylaws. While estimates vary from school to school and region to region, a systemwide estimate of parent participation in screening is between 60% to 75%. The new screening procedures, emphasis on LRE and mainstreaming, and increased publicity have helped to lessen the stigmatization and isolation of special education programs.

Although parent involvement has increased dramatically over the past four years, as more students receive some level of special education, more parents are found who are apathetic or who distrust the school. In the past, when parents were not being informed and involved in the process, the problem of uncooperative, apathetic or antagonistic parents did not come up. Now it is somewhat of a problem although a large majority of parents are cooperative.

One problem, associated with the requirement to involve parents and the fact that more uncooperative or apathetic parents are being found, is the amount of time consumed in obtaining parent involvement and consent. Although the uncooperative/apatehtic parents are a small minority, the time required of the case manager or social worker to obtain consent from these parents becomes significant, when viewed in light of numerous other time constraints on school personnel. Case managers have made phone calls, sent home letters with the students, mailed registered letters, and even visited the home after school hours in an attempt to explain to the parents the purpose of the special education program and the need to obtain their consent. State policy requires written parent permission before assessment can be initiated. The unwillingness of these parents to get involved and give their consent is a major delay in providing services to students.

B. GENERAL CONSEQUENCES

1. Screening procedures and the lack of openings in special education programs have caused delays in placements.

Since P.L. 94-142, most students receiving special education services have been rescreened in order to verify that their present placement is approriate and to justify any change in placement. In addition to those students who already were receiving special education services, there have been a large

number of new referrals as a result of the childfind program. The large number of screenings and rescreenings have caused scheduling problems for the screening committee which seldom meets more often than once a week. The scheduling problems can cause average delays in screening at the school level of two to four weeks and at the regional level of two to four months.

In addition to delays caused by screening, delays in provision of services are also caused by the lack of openings in special education programs. Although a greater variety of services are now available, most programs are filled to capacity and a few resource rooms have more than the maximum allowable number of students. These placement delays are alleviated to a limited extent by the State's requirement that any new placement be reviewed after 60 days to insure that an appropriate placement had been made. These 60-day reviews do not guarantee that an opening will become available in any particular program, but they can be used to place a student into a less restrictive program in order to make room for a more severely handicapped student who has a greater need for services. Prior to P.L. 94-142, fewer students were referred since fewer placement options were available and screening procedures were less rigid.

2. Administrators and teachers generally feel the new requirements resulting from the law have improved services to students.

Although there have been many problems associated with the implementation of P.L. 94-142, central office, regional and school personnel believe it is having a positive influence overall. Administrators and teachers interviewed generally felt that the new focus as required by the law has had a positive effect in several areas.

Referrals have been increasing and now tend to be more appropriate than they were a few years ago. Referral and assessment procedures are helping teachers to identify those students with moderate handicapping conditions which are not obvious. Parents are becoming more involved and aware of the special education services and parent/school relationships are improving. There is less stigmatization of special education students now that they have become less visible through mainstreaming and LRE.

The major benefit though is that students who need services are receiving services. Attempts to improve services and streamline procedures are being made. The weight of law is now on the side of special education advocates and many

people who were doing little in the past in special education are now making some efforts because they are required to by law. Thus, IEPs are being written, parents are becoming involved, multiple criteria assessments are being used, feeder schools are providing IEPs, records and needed documentation, etc.

Although the problems incurred through the implementation of the law should not be overlooked, the law is having positive effects and most people interviewed would rather have the law with all the accompanying problems than to have no law at all.

3. New processing procedures increase time needed to place students into special education programs.

Procedures associated with P.L. 94-142 have increased the amount of time and effort needed to process students into special education programs. In the past, school personnel, and in particular the school principal, had a great amount of flexibility about placing students into special education programs. Assessment criteria was based primarily on I.Q. scores, academic performance, behavior and anecdotal records of the teacher. Multiple criteria assessment as is done today was not done in 1974 and only a handful of schools had a multidisciplinary screening committee. Decisions were made by the principal and the special education teacher with input from the referring teacher and perhaps the school counselor or nurse.

Since then processing procedures have become more structured and detailed, requiring greater documentation and the involvement of more personnel. Parent involvement has increased but requires additional time on the part of the case manager. School screening committees meet more often and involve more people. A larger number of tests must be administered and the IEP takes longer to write than did its predecessor, the educational management plan.

The time, personnel, and money required to complete these procedures are impacting upon the schools. The average span of time estimated by school personnel to complete an in-school referral and placement is approximatley three to four weeks in contrast to a maximum of one week or less back in 1974. If the student requires a regional screening a further time delay of one to two months can typically occur and delays can range up to between six months and a year.

These time delays for placement are of serious concern to school staff who feel that more complex problems may arise if students are not served soon

enough or if they are being given inadequate services. School staff think of themselves as being child advocates, but feel constrained by the need for more detailed documentation/procedures and the lack of resources to complete adequately the needed documentation/procedures.

4. Job descriptions and staff assignments have changed.

Job descriptions of school-based special education department heads were changed during the summer of 1977 to include administrative duties related to P.L. 94-142. In some schools, a resource teacher was given the additional responsibilities for testing (done in the past by the full-time diagnostic and prescriptive person). These additional administrative duties have had the effect of reducing the teaching load of the people responsible for them. Many special education department heads, diagnostic and prescriptive resource teachers, and other persons who were to assume these additional responsibilities were asked to give up instructional time. The amount of instructional time relinquished by teachers varied from less than five classes per week to all classes through the middle of November.

To make more efficient use of the special education staff, the district sought and received permission from the State to implement a Service Model in secondary schools. This Service Model departmentalized special education services in secondary schools and allowed resource classes to be combined with self-contained classes. Prior to the Services Model implementation, Level III served six students per period and Level IV served 12 students per period (or 15 students per period with an aide). Under the Service Model any combined class could serve 15 students with one teacher and an aide or 12 students with a teacher alone. The net result was that each resource teacher could serve up to nine more students per class period, given an aide in the classroom, and six more without an aide. With the adoption of this plan, the district anticipated hiring and training 400 more aides. Although the Model has been implemented in some 34 secondary schools, the 400 aides have not been hired and some secondary school resource rooms are serving an average of 18 students without an aide. These classes, at times, range up to 30 students in a single class period. Sources interviewed said the district justified these numbers by saying that the average number of students, systemwide, per class period is still 15 or less.

Finally, a large number of special education support staff from the central office have been decentralized and dispersed into schools throughout the system.

Some of the staff which were dispersed became special education administrators responsible for handling the duties related to P.L. 94-142 within the schools. Other support staff were assigned to regions as DEC Specialists. In a few instances, the core staff which remained at the central office was able to continue providing services although their staff was now in the field. In other cases core staff have had to assume the additional responsibilities and have been unable to provide either the same quantity or quality of service.

5. Paperwork has increased at all levels.

The amount of paperwork and required documentation has increased dramatically. One elementary school principal estimated 70% of his time is spent keeping records and 30% is spent providing services. Three special education teachers in an elementary and junior high school estimated the amount of paperwork has tripled compared to what it was prior to the law. The average amount of actual time spent processing students into special education is estimated by special education case managers interviewed to be between six and eight hours per student.

Documentation has increased not only in quantity but also in structure and detail. There are approximately 15 referral forms which need to be completed, some by the referring teacher and others by the case manager and/or school counselor. In secondary schools several of the students' teachers are normally requested to fill out referral forms. The referral forms have recently been revised in response to State monitoring done last year, but the revisions have only increased the confusion and frustration felt by teachers.

IEPs require much greater detail than the education management plans written prior to the law. EMPs included a total service design for the student, but excluded detailed instructional objectives required in IEPs.

Many district personnel interviewed expressed concern that the procedural controls required by the law (e.g., detailed IEPs, written parent consent for assessment and placement, more structured and complex screening), have not only lengthened the working day for school staff but impeded the educational process. When questioned, a large number of staff confirmed that the committment of the teachers is being stretched with the imposition of additional duties and responsibilities which are only tangentially related to instruction.

6. Teachers want more in-service in special education related areas.

District C.2 examined a number of alternative strategies and determined that a more practical approach to training professional staff should involve a gradual process which could be easily monitored at each stage of implementation. Central office staff were trained the summer of 1977 and developed the guidelines and formats and trained special education regional staff in September. In turn, the regional staff trained the building level special education teachers who then were to work with the regular classroom teachers. Normal in-service schedules were to be used to bring staff together for presentation of general topics and orientation to more specific training.

Although the training strategies developed by the district were well conceived, personnel being trained were critical of the quality and quantity of training they received. It was felt those who needed the training the most, the school-based special education teachers, received the least amount of training, (one to three days compared with 20 days for the regional personnel). Both regional and school-based staff were expecting to receive concentrated training about writing IEPs but the training they received was characterized as an orientation covering "...many things which were extraneous to writing IEPs." In reality, school system resources available for training were limited and were applied in the manner deemed most equitable relative to released time for teachers to attend in-service sessions. Regional personnel were to train school staff on IEP development and to monitor IEPs written by special education teachers, but they felt unqualified to do so since they themselves received so little training.

Parents, administrators, regular education teachers and special education teachers all voiced a second concern that special education teachers who have been trained to deal with a specific type of disability are now being asked/required to deal with a number of disabilities in the same classroom because the State has reclassified handicapping conditions according to levels of service rather than disabilities. Special education teachers have not been trained to work with children who have different disabilities.

Special education aides are receiving up-to-date and in-depth training provided by the district through a cooperative effort with a local community college. The fact that this training is not available to the special education teachers who were only trained to deal with specific disabilities has, in a few instances, caused problems between the teachers and their aides.

Regular education teachers have received no formal training other than that provided at individual schools. They are concerned that they lack the training to deal with physically, emotionally or mentally disabled children. This lack of formal training coupled with rumors about mainstreaming have heightened their anxieties over their roles in special education.

Parents also expressed a need to be trained themselves so they can better deal with their children at home and do some follow-up on the work done in school. Parents feel the school system should provide this training but said none has yet been provided.

Similarly school and regional administrators are waiting for central office to take the lead in providing training for administrators. Principals could have attended the workshops provided to the regional and school special education staff, but few did since this training was oriented more toward teachers. One Regional Superintendent admitted to knowing nothing about the law and having minimal involvement. Administrators are likely to delegate their responsibilities to special education staff, since they have received no training with respect to the law.

7. Experience implementing new requirements has reduced teacher anxiety.

Despite the concerns voiced by school personnel over limited training, the actual experience of implementing the new requirements has caused teachers to become more knowledgeable about the law and to understand better their role. Having gone through the referral process regular education teachers know just what is involved and are more familiar with the process. Regular education teachers through their own experience and through informal contacts with other regular education teachers and special education teachers now know the type of criteria used to identify a child as needing special education services, and understand the sort of documentation and justification they will need to present when referring a child. This increased knowledge and familiarity with the process has helped regular education teachers to become better at identifying and referring children with special education needs.

Special education teachers are now more familiar with the sort of assessments which need to be done and have learned to streamline their efforts in writing IEPs. Procedures and channels for contacting parents, conducting screening meetings, making referrals to the regional level, etc. are being

formulated and revised. The initial anxiety caused by the unfamiliarity with the law, the inadequate lead time to prepare for the law, and insufficient resources to fully implement the law has now subsided as school personnel in one way or another learn to cope with the law's requirements. Although school personnel are not satisfied with the time and work required by P.L. 94-142, they at least know now what must be done and how much effort will need to be exerted.

8. Increased communications between regular education and special education teachers.

Communications between regular education and special education teachers are improving especially at the elementary school level. Regular education teachers are now more actively involved in the referral process and when making a referral, are required to attend screening meetings. Regular teachers of children in the resource room confer with the resource teachers, so they will know the type of work that is being done in the resource room and be able to follow up on this work in the regular classroom. Although there are a few schools in which the resource programs continue being run in isolation from the rest of the school, a large majority of teachers are conferring with special education teachers and rapport between the two is improving.

Secondary schools are having greater problems along these lines than the elementary schools although the situation is an improvement over a few years ago. In 1973-74 most special classes were self-contained or set in a separate special education facility. Now special education is coming into the comprehensive schools and is less isolated. Secondary schools are more subject-oriented than student-oriented and, as a result, curricula taught in the special education programs emphasize remediation rather than parallel the curriculum in regular education classes.

# CHAPTER III
# CASE STUDY OF SITE C.3

## Case Study Organization

I. THE CONTEXT
   - A. DEMOGRAPHIC
   - B. WEALTH
   - C. GOVERNANCE
   - D. SCHOOLS
   - E. EXTERNAL ORGANIZATIONS
   - F. LEA ROLE PLAYERS
   - G. ORGANIZATIONAL STRUCTURE
   - H. INTERNAL BUREAUCRATIC INTERFACE

II. THE SPECIAL EDUCATION PROGRAM
   - A. ORGANIZATION
   - B. SERVICES PROVIDED
   - C. STUDENTS SERVED
   - D. PRIORITIES

III. IMPLEMENTATION PROCESSES
   - A. SPECIFIC CONSEQUENCES
   - B. GENERAL CONSEQUENCES

## I. THE CONTEXT

### A. DEMOGRAPHIC

District C.3 is a county-based school system, which is located in a relatively isolated part of the State and covers over 300 square miles. Excellent roads provide easy access to metropolitan areas in neighboring counties. The racial composition of the school population is 75% white, 24% black, and 1% other. Situated in a rural location, the community has an economic dependence upon farming and agricultural activities. There is also a substantial service industry, considerable construction and transportation, fishing and seafood processing, and a military installation which causes some communities to become more transient than would normally be expected in a rural setting. Total population for the county is approximately 59,000, an increase of about 6,000 since the 1970 census.

### B. WEALTH

Information prepared by the State economic and community development agency shows the median household income for the county to be $13,000; for the state as a whole it is $15,000. Per capita effective buying income data for the same period shows that 41% of the households in the county have annual incomes greater than $15,000. The tax rate per $100 of assessed value is $2.15, slightly lower than the state average.

Poverty level indicators utilized by district officials for Title I purposes focus upon AFDC data and free lunch counts. Families with incomes less than $7,560 qualify for student participation in the free lunch program. Schools with the largest numbers of AFDC and free lunch counts are ranked for Title I funding. For the 1978-79 school year nine of the 18 elementary schools qualified as Title I schools. In FY 78 the Title I program was funded at about $600,000 and served slightly more than 1,000 children; in FY 79 the program was funded at about $800,000 and served slightly more than 1,100 children. In FY 78 approximately 35% of the pupils in the designated Title I schools met the eligibility requirements; in FY 79, 34% of the pupils met the eligibility requirements.

Monetary resources available to the school district from all sources include county, State, and Federal monies. The county must raise a minimum amount through taxation; through a formula program the county can also receive back from

the State income tax, a "piggyback" amount up to 50% of the amount collected, based upon its relative wealth. The tax rate for assessment purposes is set each spring by the county commissioners and forms the basis for the amount of monies to be raised locally. The county commissioners also determine the piggyback amount and have requested the maximum available for the last several years. State aid to the school district budget utilizes a per-pupil formula; nearly all transportation costs within the district are reimbursed by the State. Federal aid is received in the form of impact payments and other public law reimbursements.

C. GOVERNANCE

The School Board consists of five members appointed by the Governor. They must be residents of the county and serve five-year terms which overlap. The State central committee and/or the legislators submit names to the Governor for appointment. School officials believe their Board has well-qualified members, with little or no evidence of political interests being served by the appointments. The Board meets monthly with special meetings held as needed. The Board members elect their own President annually; the Superintendent of Schools always serves as Secretary-Treasurer to the Board. Other central office administrators (e.g., director of business administration, assistant superintendent for instruction) attend Board meetings as appropriate for the items being considered.

The governing body for the county consists of five commissioners who serve simultaneous four-year terms. While the commissioners oversee mostly municipal functions, they do not have much legislative power. Their major activity is to set the county tax rate by May 31 each year, approve the education budget, enact local ordinances, and otherwise conduct the business of local government at the county level.

D. SCHOOLS

The school district has 18 elementary buildings, four middle schools, two secondary schools, one technical center, and one special education center. The September 30, 1977 enrollment count showed about 12,000 students in K-12; on September 24, 1978 the count was up slightly in the same number of buildings. Elementary schools range in size from 80 to 460 students with an average enrollment of about 300. The middle schools range in size from 620 to 800

Students with an average enrollment of about 730. The high schools range from 1060 to 1430 students with average enrollment being 1300. In the district there are 860 students in kindergarten, 4750 in elementary schools, and 6700 in secondary schools. There are approximately 15 non-public schools within the district with a total enrollment of about 2650 children.

E. EXTERNAL ORGANIZATIONS

The main outside agencies which cooperate with the public schools include the County Health Department and the County Department of Social Services. There are a number of smaller service providers but these are privately operated and are reimbursed for the services they provide. The Health Department and Department of Social Services are not reimbursed for services they provide to the public schools. The State Health Department developed the guidelines several years ago for a School Health Council in each county to coordinate with local boards of education. This council, utilized mainly as a problem-solving mechanism, has been quite active in District C.3. The School Board will not consider for approval any type of health-related program unless it has been previously approved and recommended by the School Health Council. The Health and Social Services Departments provide services to the schools primarily on a no-cost basis, although some materials and related supplies are purchased by the School Board for use in the schools. Current working relationships between these two departments and the School Board are informal and were established prior to the passage of P.L. 94-142. This existing cooperative arrangement allowed both the outside agencies and the School Board to increase delivery of special services without unusual burden to the organizations. Neither of these two outside agencies feels the need to request funds from the school budget as long as they do not have to increase their staffs or provide unusual services.

The district has two advocacy groups: Association for Retarded Citizens (ARC) and the Association for Children with Learning Disabilities (ACLD). Both are active with regard to special education within the district, with the ARC considered more of an advocate than the ACLD. The district was a codefendent in a class action suit brought against the State Department of Education several years ago by ARC on behalf of handicapped pupils. The resulting court decision established a precedent within the State and required the legislature to write

its own "handicapped education" law prior to P.L. 94-142. The ARC is a long-standing organization within the State. Each county chapter is goal/task oriented and "generally complains" very little. Parents in this organization tend to have severely handicapped students. The ACLD has also been in existence for a number of years but the county chapter was just formed in 1976-77 by a new family which moved into the district. Parents of this group are thought to have children who are slow-learners rather than learning disabled.

While district officials are not in opposition to the ARC and the ACLD, they feel that these organizations cause a considerable amount of extra work. For example, these groups adivse parents to obtain complete assessment on their children through the school district, they request numerous conferences with professional staff, and they make many contacts with central office administrators to review policy and procedures on a continuing basis. They also make numerous presentations at School Board meetings. One district administrator has suggested that because of P.L. 94-142 requirements it is more difficult for these groups to gain attention and membership. Therefore, they must more actively pursue lesser issues in order to maintain their viability. Active leaders in both groups are parents of handicapped children.

The only special interest group within district C.3 which may have high impact potential with the School Board is the county teachers association. Contact negotiations are conducted in November-December for the subsequent school year. This allows ample time for revision of the draft school budget unless the negotiations continue on into February (the Board must submit the budget to the county commissioners on March 1). The initial request by the association to the School Board in November 1978 was roughly estimated to cost the county an additional $1.5-2.0 million. The most costly item was a request for release time or an aide/helper/substitute to assist teachers when they are working on special education extra activities (e.g., writing IEPs, completing forms, planning instructional activities, attending ARD meetings, confering with parents). This request is more than the district can afford although school officials feel that relief of some type is necessary since teachers did considerable amounts of special education extra work the previous year <u>after</u> their contract was negotiated. The county association has sent a questionnaire to all teachers within the district

asking how much time they spend each week on IEPs, ARD meetings, and other "extra" activities.

The relatively large number of nonpublic schools brings many children into the county from neighboring jurisdictions. Although they are not organized in any formal manner, district officials believe that increased requirements to share special education funds with nonpublic schools will seriously affect the districts own special education program.

F. LEA ROLE PLAYERS

At the end of the 1977-78 school year, the Superintendent of schools retired. His replacement was selected from within the district, although the position was advertised widely. There was little internal competition for the available opening. The new Superintendent had been a principal in one of the district's high schools and came up through the ranks, starting as a teacher. His interest in parent participation in school-related activities resulted in a significant increase in parent volunteerism in elementary schools visited during the 1978-79 school year. Personnel at all levels within the district are supportive of the new Superintendent and believe that he will serve the district well. He maintains an informal management style and continues to rely upon administrative personnel from the previous organization.

Central office administration is divided between the Director of Business Administration and the Assistant Superintendent for Instruction. Directors and supervisors administer the various organizational units within the system. Many administrators have had dual responsibilities in the past in order to maintain a small number of top level officials. There is a director for pupil services, a director for elementary schools and a director for secondary schools; all other departments are administered by supervisors. Most administrators have been in the system for a number of years and attempt to run a well-coordinated organization. Aside from occasional clashes in management styles, the entire system operates at the highest professional level with the needs of students receiving the highest priority.

G. ORGANIZATIONAL STRUCTURE

The organizational structure of the school district prior to 1978-79 included three directors who reported to the Superintendent, These directors were responsible for pupil services, instruction, and business administration, The Supervisor of Special Education reported to the Director of Instruction. An

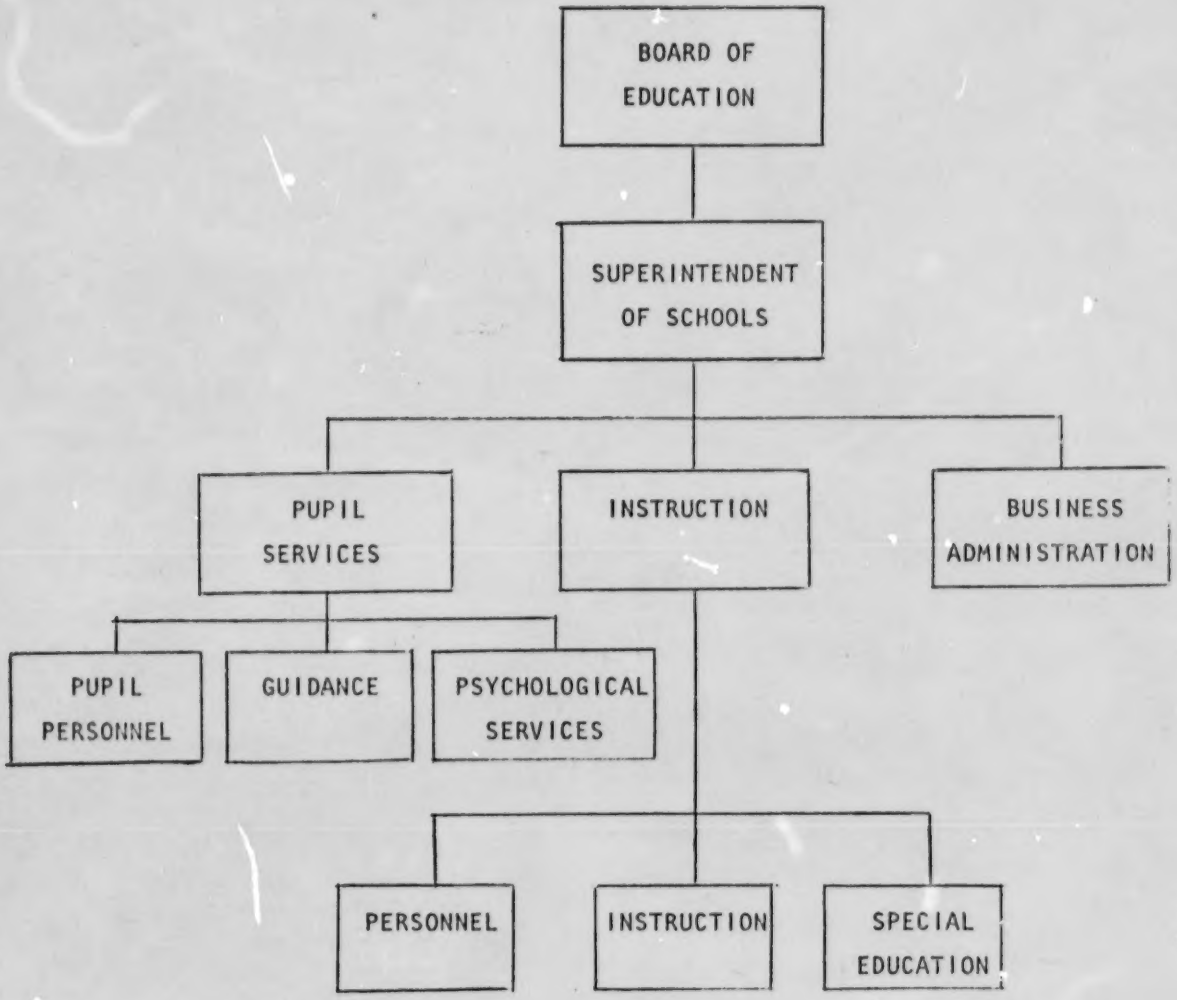
internal reorganization was implemented in the 1978-79 school year. The Director of Instruction became the Assistant Superintendent for Instruction; a Director of Elementary Schools and a Director of Secondary Schools were created; the Director of Business Administration position reports directly to the Superintendent. The Supervisor of Special Education reports to the Assistant Superintendent for Instruction (see Exhibit C-V ). The reorganization was not influenced by P.L. 94-142 requirements, although it has served to focus on efficiency in decision-making.

The budget process for county education programs occurs over a nine-month period from October through the following June. In October of each year, the central office requests preliminary budget information from all building/program/service level personnel. (In November 1978, the board conducted its first public pre-budget hearing to obtain input directly from the community.) By December the first budget draft is presented to the School Board for consideration; it is finalized by the Board in February. The budget is then submitted to the county commissioners on March 1. The county commissioners hold public hearings on the budget. The county commissioners must finalize the school budget by June 1; tax rate for the county is also established by this date. The county commissioners usually reduce the school budget about 5-7% from what is initially requested by the Board.

Considerable concern has been expressed by the commissioners over the past several years relative to the unusually large increase in funding requirements for special education. Although it is pointed out by school officials that much of the amount is reimbursed by the State, the commissioners continue to reflect on the fact that if such outside funding were to cease the county would have to assume costs for the increased special education services, including professional staff, materials, and the special education facilities. The county commissioners find themselves in a somewhat uncomfortable position although they have generally approved the increased funding requests.

The total county education budget has increased approximately $8.3 million between the 1974-75 school year and the 1978-79 school year. In 1974-75 the district's total school budget was $12.9 million. By 1977-78 it had increased $6.9 million to a total figure of approximately $19.8 million. The budget increased

EXHIBIT C-V: ORGANIZATION OF DISTRICT C.3
(MODIFIED)



an additional $1.4 million for the 1978-79 school year to a total of $21.2 million.

The school district organizational chart reflects the district's operational practices. Since the district is not very large, there is an effective informal network which can quickly identify an administrator's departure from preferred procedures. It was evident that administrative directors who oversee a particular area of responsibility resent any encroachment into their area from other directors. Special education functions primarily in an advisory capacity and must utilize the services of other administrative areas. Operational effectiveness is achieved by the special education office "advising" other directors and building principals about special education requirements, and then providing as much assistance as they request in preparing needed implementation guidelines. This may tend to discourage problem-solving initiatives of an unusual nature, as is the case when any administrative department functions in an advisory capacity to an instructional program area. Requests for professional staff services across administrative directorships come from the building principals rather than individual directors. These operational procedures may have contributed to the complexity of implementing P.L. 94-142 because the special education officer (a) acts mainly in an advisory/consulting capacity; and (b) has no staff located at the building level (with the exception of those at the special education center and a middle school psychologist funded under a discretionary project).

Superior-subordinate roles are characterized by close working relationships necessary in a smaller school system. Informality is in evidence but does not interfere with the high level of professionalism exhibited by administrators and instructional staff. Administrators evidence understanding of their obligations and responsibilities within the system as do the personnel who report to them. The superior-subordinate role informally observed during the study period included scheduling of activities, establishing priorties, solving problems, and combining knowledge in the preparation of written reports.

## II. THE SPECIAL EDUCATION PROGRAM

### A. ORGANIZATION

The office of special education is managed by the Supervisor of Special Education with help from an Assistant Supervisor. Additional staff include the childfind specialist, helping teacher, three resource specialists a work study specialist and therapists in hearing, vision, and speech.
The office of special education operates in an advisory capacity to the three administrative areas under the Assistant Superintendent of Instruction (i.e., pupil services, elementary schools, and secondary schools). The childfind specialist concentrates entirely upon new referrals for special education services received from outside the school district, including the Health Department, the Social Services agency, concerned parents, and special interest groups. Outside referrals are mainly pre-schoolers and families who have just moved into the county.

The helping teacher and resource specialists act as consultants to the special education and regular teachers at the building level. They assist regular education teachers in the interpretation of IEPs, provide materials for teachers who have handicapped pupils, conduct some in-service training, and otherwise respond to requests from the building level for help in special education matters. They assist the special education teachers in the preparation of educational assessments, drafting of IEP's, program/materials development in the resource and self-contained rooms, and related areas as asked. Special education teachers are part of the instructional staff within their respective buildings; they are not part of the staff under the control of the Supervisor of Special Education. Each building principal has complete control of all instructional personnel assigned to his/her school, including all regular and special education teachers.

The Evaluation, Review, and Dismissal committee (ERD) process operates at the building level and the county (school system) level. The ERD process was modified for the 1978-79 school year to improve the entire placement process. During 1977-78 ERD committees were organized at the building and at the central office level. The central ERDC considered and made recommendations for all Level

IV (self-contained), Level V (special school), and Level VI (24-hour institution) referrals. The building level ERDCs considered only Level I through Level III placements. Serious backlogs occurred at the county level relative to Level IV referrals, which would frequently end up being placed in the building from which they were referred. In addition, many Level IV placements were denied by the county ERDC. This resulted in local building staff sentiment that, because the county ERDC was not familiar with the pupils, they could not accurately judge the need for Level IV service. The ERD process was revised late in the school year to reduce backlogs and respond to local building staff concerns about Level IV placements. At the start of the 1978-79 school year, building-level ERDCs were instructed to include Level IV placements in their committee actions. The county-level ERDC would consider only Level V and VI referrals. This action was well received by building-level committees, although they wish there had been some way to have kept the associated paperwork at the county level. Central office monitoring and feedback of the Level IV placement process is accomplished by having a central office representative in attendance at the building-level committee meetings when Level IV is on the agenda.

A Special Education Administrative Handbook was distributed to all central office administrators, principals, assistant principals, special education teachers, and counselors in September 1978 by the Supervisor of Special Education. The handbook brought together materials developed the previous year on procedural matters related to special education including screening, assessment, placement, the ERD process, IEP's, due process, and hearing procedures. It contained appendices with copies of all terms used in special education, the State Bylaw relating to special education, and P.L. 94-142. Considerable detail was included in the handbook so that a principal, for example, could obtain specific instructions on the planning, implementation, and operation of a successful ERD committee in his building. Throughout the 1978-79 school year study team site visits, the handbook was always in evidence and both administrators and professional staff referred to its usefulness in helping them understand the new special education requirements they had to implement. The handbook also contained some material from the State Department of Education relating to definitions of types of special education services and a timeline for the sequence of placement procedures

from screening to the annual review.

B. SERVICES PROVIDED

The special education program within the county school system emphasizes "levels-of-service" rather than "labels" previously used in identifying handicapped children. The levels-of-service concept was mandated by the State Department of Education for all school systems within the State; Distric C.3 has successfully implemented the levels-of-service concept and professional staff are incorporating the new terms into their daily activities. The levels-of-service concept utilizes the following guidelines. Level I includes the mildly handicapped child who can be served in the regular classroom with supplementary services; Levels II and III include the moderately handicapped child who can be served in a resource room setting from one to three hours per day. Level IV includes the severely handicapped child who can be served in a self-contained room where most of all of the education program is provided; Level V includes the severely and profoundly handicapped child who can be served in a special school for the entire day; Level VI includes the profoundly handicapped child who can be served in a residential setting on a 24-hour personal basis. In District C.3 each elementary school can provide Level I, Level II and Level III services (regular classrooms and resource rooms), many of the schools also provide Level IV service (self-contained or modified self-contained) depending upon the local need in the area the school building serves. Secondary schools provide the same types of services. Two elementary schools have special education pre-school programs and serve children identified through the childfind (out-of-school) referral process. The pre-school program was expanded for the 1978-79 school year because of childfind activities; previously there was only one pre-school program. There is one special education school which provides all Level V service for students, aged 3-20, within the district who cannot be maintained in the regular school facility.

C. STUDENTS SERVED

District C.3 had approximatley 12,500 pupils enrolled in grades K-12 including pre-school and special education, during the 1978-79 school year. Of this total, about 1,100 children were identified as in need of some type of special education service according to the State department information reporting system.

Fifteen of the 18 elementary schools served about 135 Level IV pupils in modified self-contained rooms. The four middle schools served about 110 Level IV pupils and the three high schools served about 75 Level IV pupils. Special schools had an enrollment of 157 pupils. The remainder of the special education pupils were served in the pre-school program, in regular classrooms, and in the resource rooms.

D. PRIORITIES

During the 1977-78 school year the special education priorities within the district were 1) development of IEP's and related procedures; 2) parental involvement, (i.e., due process); and 3) delivery of special education instructional services. At the beginning of the school year, activities associated with the task of developing IEPs and involving parents in their children's education consumed the most resources. The development of handbooks, guides, orientation workshops, and IEPs were key activities. As the year progressed, the emphasis shifted toward the delivery of instructional services to special education pupils. Of secondary importance were activities to orient special education administrators and supervisors to the law and its related requirements. This effort was accomplished through a series of workshops co-sponsored by the SEA and the special education office within the district.

Childfind and evaluation activities were assigned a high priority. In the area of childfind (out-of-school referrals), one full-time staff member was devoted exclusively to this task with existing support personnel aiding in diagnostic activities. Evaluation activities received special attention in the district's efforts at implementing P.L. 94-142 requirements, because most of the previously identified special education pupils had to be reassessed to determine whether placements were correct and to assure development of the most appropriate IEP for each child. Considerable strain was placed upon evaluators and backlogs developed as many of the old psychological assessments had to be redone because they were not current. As district administrators gained experience in the various implementation requirements of P.L. 94-142, procedures were modified and rewritten for eventual inclusion in the Special Education Administrative Handbook.

During the 1978-79 school year the special education priorities shifted to

1) implementation of procedures developed the previous year; 2) providing assistance in the development of IEP's; and 3) conducting in-services for both regular and special education teachers. Emphasis upon implementation of procedures required administrators, counselors, and special education teachers to utilize the Special Education Administrative Handbook distributed at the beginning of the school year. This included procedures and required forms for referral, assessment, ERD, IEP's placement, 60-day and annual reviews, and due process relative to parents' rights. Assistance in IEP development focused upon procedures and forms, the role of the special education teacher in preparing IEP's, development of suitable supplementary service for Level 1 placements in the regular classroom, monitoring pupil progress, determining when a pupil is ready for re-evaluation, and updating/modifying the IEP. In-service activities focused upon the development of strategies and techniques for diagnostic/prescriptive instruction with emphasis upon formal and informal assessment, prescription development for IEP's, and methods and materials for instruction.

## III. IMPLEMENTATION PROCESSES

### A. SPECIFIC CONSEQUENCES

Most of the consequences identified through analysis of the interview data relate to individual assurances as provided by P.L. 94-142. In this report section, the process description is provided for each assurance examined in the study. Specific consequences are presented at the end of each assurance process description.

#### 1. Childfind

##### a) Childfind Process

Childfind efforts, resulting from the law, focus upon identifying (a) pre-school children; (b) children in families who have just moved into the district; and (c) children already in school but whose special education needs were inappropriately served. Pre-school childfind activities included distribution of brochures, newspaper and radio advertisements, and presentations to local civic groups and parent organizations. Childfind staff contacted the health department, the social services agency, and other related groups to inform them of the need for notification when families with handicapped children who have just moved into the district came to them for assistance. Childfind efforts to identify children already in school and in need of special education services included reassessment of all pupils currently in the special education program.

Administrative procedures were developed during the 1977-78 school year for childfind referrals. Parents and neighbors responding to local advertising could call a 24-hour "hotline" number and leave information on a recording machine. Once an out-of-school contact is made the childfind person conducts an initial home visit to complete a developmental history and parental checklist and to obtain parent permission for the release of any available medical and/or school records. A second home visit is then made by the diagnostic/prescriptive person (DPP) to evaluate the child's speech/language skills, motor skills, and personal/social development.

Within the school system there are two opportunities for identifying children at an early age with handicapping conditions. The first is the

kindergarten round-up, which has been in operation for the past four years. Families with children who will be entering kindergarten in the fall are encouraged to visit special centers set up around the county during the summer. This is a screening for handicapping conditions which focuses upon visual, hearing, motor, and speech. It is an interagency cooperative activity between the health department and the school district. Children identified to be in need of special education can begin receiving service within the first few weeks of school.

The second screening opportunity for children already in kindergarten and first grade is called the Early Identification Program (EIP). EIP screening determines deficiencies in one of five areas: Sensory Perception, Cognition, Affective, Psychomotor Development, and Language Development. If the results of screening reveal a deficiency in one or more of these five areas, the child will be scheduled for the building Evaluation, Review, and Dismissal (ERD) committee which decides if special education services are needed and determines eventual placement. Referrals above first grade are accomplished by regular classroom teachers completing a standard form which includes information about the pupil's behavior and academic performance which is also reviewed by an ERD committee.

Prior to P.L. 94-142, the building principal and classroom teacher reviewed the information available for a particular pupil who was in need of additional service. Pupils in elementary and middle schools were usually placed directly into resource rooms for deficiencies in reading, math, speech, and mild emotional problems. High school students were usually referred to the guidance counselor who then arranged a meeting with building personnel for direct assignment to a resource room teacher or a speech therapist. A requirement for a more structured learning environment resulted in a referral to special education.

b) Childfind Consequences

There were three consequences identified in District C.3 which relate to the childfind process:

(1) Childfind puts additional burden on the building administrator which restricts his attention to other duties.

All building principals and assistant principals interviewed acknowledged

the increased amount of time they must now spend on special education matters. Rough estimates indicated that in the past, these principals spent no more than 5-8% of their time on all special education administrative duties in their respective buildings. There was little paperwork, many referrals were generally given remedial instruction rather than becoming candidates for special education services, and the central office speical education staff completed most of the processing work. Principals currently estimate anywhere from 20-35% of their time is now devoted to the new special education requirements. Childfind alone accounts for a great deal of this increased effort because the building principal become the key person in charge of every new referral and each change-of-service request. Now referrals require the organization of a confidential folder which is the responsibility of the principal. All available information about the child goes into the folder for later presentation to the placement committee by the principal. Letters to parents are prepared informing them of the referral; they are also informed of their rights. Both of these actions evoke parent queries which are handled by the principal. Many principals meet informally with regular and special education teachers to determine if special education is a viable option or the situation is one requiring only a change in classroom management techniques. Principals gain needed time for special education processing by reducing the amount of time they spend observing teachers, holding fewer curriculum planning meetings, and spending less time preparing for in-service they must periodically provide their teachers. None of the principals interviewed believed they would ever be able to return to the work schedule they experienced prior to the implementation of the new processing procedures.

(2) Child who is slow learner complicates referral procedures for special education.

Teachers, who have been making special education referrals since the 1977-78 school year, have discovered that the slow learner exhibits many of the traits which they have received in-service about as being characteristic of the child who is in need of special education services. These include below average I.Q. score, discrepancy between achievement and perceived ability, discrepancy between behavior and academic functioning, and the effect of environmental, cultural, or economic disadvantage. The slow learner is many times

considered in need of special education service and is referred by the classroom teacher. District administrators and building principals do not discourage this situation as they realize teachers have not been trained to recognize the differing characteristics. There is also the possibility that a pupil actually in need of special education service could be overlooked if teachers were told not to refer slow learners. State and Federal regulations for certifying learning disabilities prohibit a pupil from receiving special education services if, for example, a severe discrepancy between ability and achievement is primarily the result of environmental, cultural or economic disadvantage. In some instances, pupils with minor acticulation problems would have to be referred for special education services because speech therapy now comes under the mandate of the new law and must be processed as special education. This referral problem was expressed by many of the teachers interviewed. They also expressed concern about their inability to handle the situation and their embarrassment at having a referral denied because the child was found to be a slow learner.

(3) Complexity of referral process causes some teachers to avoid making referrals.

When new referral procedures were first implemented during the 1977-78 school year, backlogs increased the amount of time necessary to place a pupil in the special education program. Unfamiliar procedures, lack of experience with new evaluation instruments, and additional forms in the referral/evaluation process further delayed placement -- up to four months in some instances. It became evident to all teachers that the new referral/evaluation/placement requirements were going to take longer than the average of 4-10 days experienced in the past. Gaining experience with the new requirements, some teachers became frustrated with the process and developed an attitude that it was not worth all the effort. Pupils, whom these teachers thought needed to be in special education, were not able to receive services in an expedient manner. Since many referrals were made well into the school year the pupils sometimes did not receive service until they were promoted into another classroom. Teachers did not experience the completion of something they had initiated. Comments obtained during interviews conducted early in the 1978-79 school year revealed that both regular and special education teachers in some buildings were holding-off making referrals. They were waiting to observe if the referral process was going to work any more

efficiently before they became involved in it again. Pupils in serious need of special education services were referred. Mildly handicapped and moderately handicapped pupils who were somewhat successful in their regular classroom were the ones whose referrals were held back. It is not known how extensive this practice was or whether it occurred in all 18 elementary buildings; it was a point of discussion in two of the elementary schools where interviews were conducted in 1978-79.

2. Evaluation

a) Evaluation Process

When an out-of-school child has been identified through childfind, a resource specialist from the special education central office will go into the home to administer tests to determine the child's functioning level in speech/language skills, motor skills, and personal/social development. If these test results indicate that a child may need to be placed in a more restrictive environment than in a resource room, a psychological evaluation may be requested depending upon whether the child is considered to be mentally retarded or emotionally disturbed. If a referral is made within the school building, parents are notified of the referral and the reasons for the referral. Parent consent is obtained to conduct an educational evaluation to determine the severity of the suspected disability and to determine whether or not the child is in need of special education services. Parent permission is also obtained at this time for the release of any other school or medical records which may be helpful in assessing the child's needs. The assessments, along with any documented teacher observations, are made available to the building ERD committee so they can determine the type of disability the child has and make an appropriate placement recommendation. The building principal is responsible for preparing the confidential file for each referral to be screened by the ERD committee. The file must include an individually administered educational evaluation consisting of reading, mathematics, spelling, written and oral language, and perceptual motor functioning, as appropriate. These tests can be administered by the regular or special education teacher. Psychological evaluations are limited to pupils who may be mentally retarded or emotionally disturbed, but are not conducted until after a preliminary ERD committee screening of the child's file to determine

if a psychological evaluation is necessary.

Prior to the law, pupils referred to special education were administered a psychological evaluation, if they required service more restrictive than available in a resource setting. All requests for psychological examinations were honored in the past, regardless of actual need, if it was felt by building staff that a more restrictive service was needed. Due to the large number of requests for psychological evaluations, and the availability of only three psychologists to do these evaluations, there was a lag time of three to six months from when a psychological evaluation was requested and the time it was administered. Central office special education administrators changed the procedure near the end of the 1977-78 school year to reduce the backlog of requests for psychologicals. The new procedure requires the building-level ERD committees to request a psychological evaluation only if the child is believed to be mentally retarded or emotionally disturbed. A psychologist will attend the ERD meeting to help the committee make these decisions if so requested. This procedure has greatly reduced evaluation backlogs and allowed the psychologists to regain some time for counseling and related activities.

b) Evaluation Consequence

The main evalution consequence identified in district C.3 is described below:

Psychologists spend more of their time conducting psychological evaluations and attending meetings than they did in the past.

Although backlogs for psychological testing occurred to some degree in the past, it was the new requirements of P.L. 94-142 which created additional problems in this area. Many pupils now needed an update of their previous psychological examination and emphasis was placed on accuracy of supporting documentation. Backlogs for psychological testing were as long as six months in some cases. The three psychologists were scheduling these tests almost on a full-time basis. Modifications made to the evaluation process near the end of the school year reduced the requrement for psychological evaluations to only those pupils characterized as mentally retarded or emotionally disturbed. However, the decision to conduct psychologists, even in these situations,

generally required the concurrence of a psychologist at a pre-placement meeting. In the early part of the 1978-79 school year the number of pupils being referred for psychological evaluations was considerably lower than the previous year. However, the number was still high enough so that the psychologists had to schedule a large amount of their time for this type of testing. Psychologists and district administrators believe that in the next year or two the number of referrals needing psychologicals will be considerably reduced, especially after building-level evaluation teams become more familiar with finer points of the law and experienced in identifying those referrals who should receive a psychological evaluation. The psychologists are assisting building-level teams by attending local evaluation meetings and helping team members interpret available data on individual pupils. It should be noted that these psychologists are part of pupil services and not paid out of any special education funds.

3. Placement

a) Placement Process

If a referral is processed through childfind by the childfind specialist, a special education ERD committee composed of the childfind person, the resource specialist, and the Supervisor of Special Education reviews all the available information and recommends either placement in special education, or if necessary, additional testing.

If a referral comes from a regular classroom teacher or from the EIP, a school-based ERD committee will meet to review the information and make a recommendation. The school-based ERD is normally composed of the school principal, the referring teacher, the special education teacher, a representative from central office (on occasion), and any other school personnel who may have relevant information about the student. The school-based ERD may recommend that: (1) the students does not need special education services; (2) the student should be placed for part of the day in a resource room, be given speech therapy or be given home teaching if the need for home teaching is a result of a physical disability; or (3) a more structured learning environment is required to meet the needs of the student and/or that home teaching is needed as a result of an emotional disturbance. If the latter recommendation is made the county-level ERD committee must approve it. In 1977-78 the county-level ERD committee was composed

of the Assistant Supervisor of Special Education, a school psychologist, a pupil personnel worker, and a member of the school-based ERD committee from which the student was referred. If the child was identified and referred through childfind, the childfind person or the resource specialist would also be in attendance. Except in cases of an obvious handicapping condition such as blindness or deafness, a psychological evaluation is requested before the county ERDC will make its placement recommendation. The final placement decision is made by the Office of Special Education. The county ERDC only has authority to make placement recommendations, not placement decisions.

While parents are informed of the ERD meeting, they are not formally invited and few attend. Once the placement recommendation is finalized, parents are informed of the recommendation and may appeal the decision if dissatisfied. Most parents rely heavily on the school officials to make the appropriate decision. Few parents are reported to have made any significant contributions in deciding where their child should be placed and none have initiated any type of appeal.

State guidelines limit the number of pupils which can be served by a single teacher in a special education setting. The addition of an aide allows a slight increase in the number of pupils permitted. This poses a problem for new placements in resource and modified self-contained because often a building will have filled these settings to capacity. The new placements must eitherbe bussed to a different school with available pupil spaces or be temporarily placed in a lower level-of-service in their own building. State guidelines, relative to the special education process timeline, allow some leeway in the number of calendar days before placement must be implemented, this eases what would otherwise be a waitlisting situation.

Administrators and teachers interviewed at different levels acknowledged that the new requirements implemented by the district for special education require more time to process a pupil into a particular setting. The 1978-79 school year was the first year the new procedures have been implemented in their entirety. The delays experienced by teachers during the developmental process in 1977-78 have caused some to believe the current effort, necessary to obtain special education services for pupils, may not be worth pursuing since it may take up to three months to place a pupil per State guidelines.

A final problem in the area of placement concerns the severely and profoundly handicapped pupils who need institutional care. Because this is a nonpublic tuition placement, it must be approved at the State department level. The office of the Assistant State Superintendent for Special Education reviews all school district requests for nonpublic placement. Prior to P.L. 94-142, the district recommendation for a particular placement was almost always approved unless it was obvious that some aspect of the recommendation was in error. As a result of the law, the State now reviews every nonpublic placement recommendation in great detail. State department officials generally deny out-of-state placements except in exceptional situations, discourage out-of-district placements, and emphasize to local administrators the need to place severely and profoundly handicapped pupils in the district's special education center rather than in an institution. Many parents pursue the appeals process at the State level, becuase they "want the best special education setting for their child." School officials often support parents in their appeals when they do not feel that a particular child can be adequately served by an institution within the district or by the special education center. The result of this effort by the State has been to return more nonpublic placements to the school district.

b) Placement Consequences

The four consequences identified in District C.3 related to placement include the following:

(1) Requirements necessary to meet the law are delaying special education placements.

Many of the persons interviewed commented that the new procedural requirements increase the amount of time it takes to place a pupil in a special education setting. In the past, some referrals were able to begin receiving service in just a few days, although the average time required to process a pupil was about six to ten days. During the 1978-79 school year, a pupil could begin receiving service in anywhere from two weeks to three months, because of new procedural requirements. State guidelines for placement require the ERD committee meeting to be held within 30 calendar days after evaluation has been completed. Placement decisions are made at this time and a special education teacher appointed to assist the committee responsible for developing the IEP.

The guidelines require the IEP to be completed within an additional 30 calendar days and implemented within another 30-day period. District guidelines require parent approval of the IEP which also signifies parent approval of the placement. Hence, the final placement can occur as long as three months after pupil evaluation has been completed. This district-wide policy affects placements at all grade levels. One advantage of following the State department guidelines is the reduction of backlogs and elimination of pupil waitlisting for placement. The 60-day period provides district administrators with an opportunity to review available pupil service needs, reschedule special education classes to accommodate more pupils, implement new special education classes when existing ones become filled, and otherwise respond to pupil placement needs within a reasonable period of time.

(2) Appropriate placement may be delayed when available service positions are filled.

The increased number of new referrals, and updating of earlier placements beginning in the 1977-78 school year, quickly filled available pupil positions for special education services. Additional instructional staff have been added each year to keep pace with the increase in service offerings but new referrals, especially from out-of-school childfind, are somewhat unpredictable and have been difficult to plan for. Two of the elementary schools visited early in the 1978-79 school year were utilizing less restrictive placements for new referrals, when the appropriately identified service positions were filled. For example, a pupil needing up to three hours of resource room help per day would be assigned one hour per day until additional staff could be obtained, or special education pupils already receiving this level of service were found to no longer need special education help. This less restrictive placement would allow new referrals to immediately begin receiving some service, especially after the 60-day period for placement had been exhausted. School building staff also felt this provided an excellent opportunity to get to know further the newly referred pupil so that when the needed level-of-service became available a more accurate IEP could be quickly prepared.

(3) Special Education pupils are bussed to other schools when placement positions in their own community are filled.

The district's need to provide appropriate special education placements could not always be satisfied by using a less restrictive service for an interim period. An increase in the number of pupils needing modified self-contained service, for example, could not be accommodated by additional staff if the building is already being utilized to capacity (no additional classroom available). A current solution to this problem has been to bus special education pupils to another school building where additional staff and classroom space is available. Some elementary schools have additional special education pupils bussed in daily because they have the needed space and/or available service.

(4) Special education teachers are being assigned more pupils in the past.

Special education teachers responsible for modified self-contained classrooms indicated they had about 10-12 pupils in their room during the 1977-78 school year. During the 1978-79 school year, some now have about 15 pupils. The State department has published guidelines for the number of special education pupils per teacher (addition of an aide raises the figure) depending upon the type of service being provided in the classroom. This figure is 12 pupils without an aide for the self-contained setting. District special education teachers interviewed were critical about this increase in their workload and expressed the need for aides if class size is to increase. Utilizing the state department figure as an average for the district allows administrators to reduce the amount of bussing of special education pupils although it does, admittedly, increase teacher-pupil ratios in areas with high concentrations of special education pupils.

4. Least Restrictive Environment (LRE)

a) LRE Process

The least restrictive environment (LRE) options available in the district are modeled after State guidelines distributed in the fall of 1977. They emphasize "levels-of-service" rather than specific handicapping conditions. Mildly handicapped pupils remain with their regular teacher (level I service). Moderately handicapped pupils leave their regular classroom from 1-3 hours per day to receive additional help in the resource room setting (Levels II & III

service). Severely handicapped are served in a modified self-contained room, where they receive most of their education program (Level IV service). Profoundly handicapped pupils are served in a special center (Level V service) which was built prior to the law. Pupils are bussed to this center and remain for the entire school day. Severely and profoundly handicapped pupils who need 24-hour care are placed in a residential center (Level VI service). These are usually private institutions located within or outside the county; some are located out-of-state.

During the 1977-78 school year, regular classroom teachers earmarked to receive mildly handicapped pupils voiced concern they lacked sufficient training to adequately implement IEP requirements in their classrooms. They were equally concerned about lack of flexibility built into the IEP and the legal responsibility that went with its implementation. This attitude changed somewhat during the 1978-79 school year as they gained experience in working with the IEP and received help from the special education teachers. However, most regular teachers still express the need for additional training in special education, in order to be more responsive to individual pupil needs.

The moderately handicapped pupils are also felt, by many regular teachers, to create problems. Even though these students receive their special education service in a resource room setting, the regular teacher must schedule daily instructional activities so that the pupil does not miss the needed additional subject matter exposure. For example, the moderately handicapped pupil who receives resource room help for a language problem should also be back in the regular classroom when language instruction is provided there. This is difficult for regular teachers to schedule with many moderately handicapped pupils in their classroom. It is not unusual for some pupils to miss this exposure in the regular classroom.

The modified self-contained classroom teachers attempt to provide a less restrictive environment by having special education pupils take their lunch in the school cafeteria with the regular pupils, by scheduling the self-contained pupils into regular gym classes, and also by having these pupils attend music and art classes with regular pupils. Prior to the law, self-contained pupils spent the entire day with their immediate peer group and mingled very little

with the regular classroom pupils in the building.

In the 1977-78 and 1978-79 school years the district added many resource and modified self-contained classrooms so that almost all school buildings could offer special education at this level of service. The newly developed Special Education Administrative Handbook defines mainstreaming as a continuum of services which "...provide the most appropriate education for each student in the least restrictive environment (in other words, participating in the regular program as much as possible)."

b) LRE Consequences

There are three consequences in District C.3 related to least restrictive environment:

(1) Special education pupils in regular classrooms require more structured setting.

Regular classroom teachers who now have mildly handicapped pupils all day and/or moderately handicapped pupils for part of the day have found the need to modify many of their classroom management and instructional techniques. They have discovered that special education pupils usually need more attention; they usually require more detailed directions relative to their classwork; and many are not at all comfortable in an open-space setting. In addition, instruction must be organized so that pupils going to resource rooms from 1-3 hours will not miss participation in the same topics for which they are receiving special education services. The mildly handicapped pupils who have IEPs, which must be administered by the regular classroom teacher, create an additional concern: how much flexibility can the teacher incorporate into the IEP regimen before the law is violated? Those teachers who have used ability-grouping techniques in the past find it easier to accommodate the special education pupils assigned to them. Some must provide more structure to their classroom overall in order to effectively hold the special education pupil's attention. Almost all regular classroom teachers who now have special education pupils in their classrooms are seeking advice and guidance from the special education staff in their building.

(2) Regular classroom teachers recognize the need for in-service training to help them work more effectively with special education pupils.

Regular teachers interviewed early in the 1977-78 school year had yet to implement IEPs or, in most cases, had not yet had special education pupils assigned to their classrooms. They exhibited much anxiety, were quick to point out they had no idea what to expect, and were not trained to work with special education pupils. Many voiced the concern they did not want "mainstreamed" special education pupils in their classrooms. District officials eased their concern by cautiously placing special education pupils in regular classrooms; first with those teachers who felt they could handle the situation, and then with the remaining teachers who by then had heard through word-of-mouth that the experience really wasn't so terrible. Before the initial turmoil settled down, regular teachers really did not know if they could teach special education pupils. When they found out they could, their concerns then focused upon the need for help in obtaining additional skills. District officials here responded by holding in-service programs on special education topics and otherwise attempting to respond to the needs expressed by the regular classroom teachers.

(3) Special education pupils in regular classrooms receive report cards identical to other pupils.

District policy requires special education pupils to receive the same report card as regular pupils. The regular classroom teacher must complete the report cards, even though the special education pupil may spend up to three hours per day in a resource room. Many teachers interviewed expressed concern that such reporting is not an accurate indicator of the special education pupil's true ability level. In addition, teachers must obtain a grading report from the special education teacher and somehow incorporate this into the standard report card format. There is considerable cooperation in this matter between regular and special education teachers. Their attempts to work out a solution which would be helpful, while, at the same time, not stigmatize the pupil, has resulted in the development of a report card for elementary level special education pupils. This was first introduced in 1978-79 and will be implemented in the secondary schools in 1979-80.

5. Individualized Education Plan (IEP)

a) IEP Process

An Individualized Education Program (IEP) is written for the special education pupil after the placement decision. This is usually done by an assigned special education teacher who was in attendance at the ERD committee meeting. The IEP can also be written by the special education resource person from the central office although this is not usually the case. The special education teacher preparing the IEP will review the pupil's confidential folder, notes from the ERD meeting, and any additional information available about the specific type(s) of service needed. The special education teacher confers next with the regular education teacher(s), who may instruct the pupil in the mainstream setting, to review classroom procedures and identify those which can be incorporated into the IEP regimen.

The IEP is prepared using a series of formats which identify the pupil's referral history, present functioning levels, and the specific educational plan. The IEP is usually prepared in "draft" form for later review and approval by the parent. It includes short-term objectives; specific procedures, techniques, amd materials; special education and related services; and the person(s) responsible. The instructional plan is then reviewed with the parent who can approve the plan or recommend changes in all or selected parts of it. The parent's signature on the IEP package signifies approval and consent for the recommended placement. It is not customary to place the pupil in any type of special education service until parental approval has been obtained.

Administrative procedures require a review and reevaluation after 60 days for all new referrals. Pupils already in the special education program receive an annual evaluation each spring to determine whether the placement and related IEP are still appropriate. The pupil can be evaluated sooner upon the recommendation of the special education teacher that a change in service may be in order or that the child is ready to return the regular education program. Administrative procedures also include a processing timeline from initial screening to implementation of the IEP. The IEP must be written within 30 calendar days after the ERD committee approves placement and must be implemented within 30 days after this approval. The need to waitlist pupils for placement

is reduced considerably because the IEP does not have to be implemented until 60 days after the placement decision. This allows time to reorder teacher schedules, reconsider placements which seem inappropriate, or add another class section to an exist in service offering to accommodate additional pupils in a special education program setting which is already full.

Prior to the implementation of IEPs, the district utilized an Educational Management Plan (EMP) which was promoted in an earlier pilot program by the State Department of Education in 1974. This plan was less detailed than the IEP, could be developed after the pupil began receiving service, and did not have to be updated on a yearly basis. It provided for the special ecucation teacher to record the instruction being offered the pupil and to note changes in the instructional practices as the child's program was changed or modified. It was applied in four curriculum areas (i.e., communications skills, numerical skills, career/vocational skills, and social/emotional skills). The special education teacher reported objectives in one column and, in the second column, the date the objective was achieved and the method of evaluation. A copy of the EMP was mailed to parents within 30 days after placement in the special education program. The EMP format was revised to accommodate the new requirements of the IEP, including the addition of the following types of information: amount of time pupil is in a particular instructional setting, performance level of instructional program, long-range goals, short-term obejctives, evaluation techniques, and time references. Teachers still refer to the EMP but the name has been officially dropped and the term IEP is now used at all levels of administration and instruction.

Central office administrators believe that parents like the IEP concept. It is evident that teachers were more receptive to IEPs in 1978-79 compared to 1977-78, because of the experience they had in both writing and implementing them. However, the teachers and administrators interviewed were quick to point out that the IEP was also a major contributor to the additional workload and increased effort necessary to meet full implementation. Parent involvement in writing IEPs has proved time-consuming and generally unproductive; most parents are unfamiliar with instructional program details and particular service areas that would benefit their children. A significant number of parents had to be

visited at their homes in order to have them review and approve their child's IEP. Another problem which occurred with IEPs was that in 1978-79 (their second year of existence), pupils moved from elementary schools to middle schools with their IEP. Most middle school teachers did not find the IEP helpful, since it was written for an elementary school setting; many had to be rewritten.

Special education teachers interviewed indicated they are somewhat unsure of the legal implications associated with the IEP and whether they would be held responsible if it was shown not to be totally appropriate for a particular child. However, they also said that, once the IEP had been written and approved by the parent, it should not be changed. This was particularly evident in one elementary school where the special education teacher was willing to share instructional materials with other teachers but would not recommend them for a particular pupil because it was believed that a new IEP would need to be written. It was also apparent to special education teachers that the IEP has changed the type of teaching in some of the regular classrooms. Teachers with mainstreamed pupils found they could more easily accommodate special needs if they were using ability grouping or emphasizing an individual type of instruction. Regular classroom teachers who utilized rather strict regimens were having difficulty scheduling their instructional time to accommodate mainstreamed pupils who go to a resource room for additional instruction. All teachers were not certain as to how much they could vary from the IEP without violating the law. Most agree that experience, and some assistance from central office, will reveal the amount of strict adherence which should be afforded the IEP as written.

b) IEP Consequences

There are four consequences related to the IEP in District C.3:

(1) Special education teachers utilize a "proposed" IEP for parents to review, modify, and approve.

During the 1977-78 school year, when the IEP concept was first implemented, parents were requested to come to the school building and work with the special education teacher in the development of an IEP specifically for their child. Teachers interviewed said it soon became evident that most parents did not know

or understand the procedures and techniques most suitable for their child, many did not care, and some parents felt it was too time-consuming and quickly lost interest. Conferring with parents in the development of the IEP took a considerable amount of time; some conferences lasted as long as half of a school day. To expedite this part of the placement process, district officials worked out a procedure with special education teachers whereby a "proposed" IEP would be prepared prior to the necessary parent IEP conference. During the meeting parents would be asked to review and comment on the proposed IEP, suggest changes or modifications to the IEP if they so desired, and then sign the IEP document indicating approval of both the IEP and the placement. This procedure was implemented during the 1978-79 school year with excellent response from special education teachers. They have said that the proposed IEP provides a focus for the parent meeting, gives specific information to parents who want to be informed about their child's program, and reduces the amount of time necessary to finalize the IEP and obtain parent approval. It greatly expedites the required IEP development effort.

(2) Teachers believe IEPs limit classroom spontaneity and flexibility.

The IEP requires development of instructional program statements for a particular pupil to a level of detail which teachers have not previously experienced in special education. These statements identify goals and objectives, specific procedures and techniques, instructional materials, amount of time for each instructional area, and the evaluation criteria by which progress will be determined. Special education teachers have commented on the fact that, after they begin working with a particular pupil, they quite often feel it would be appropriate to add or subtract material based upon their experience with the child. This does not happen, however, because it is felt that any variation from the IEP, as originally written, would require parent approval. Therefore, the IEP is followed as closely as possible with little variation from the prescribed program. Teachers, who, in the past, have had a "free whelling" type of classroom, must now focus upon structure and individualization for the special education pupil. Also, it is somewhat troublesome to schdule daily activities for the pupils who must periodically leave for resource room instruction.

pupils leave for resource room help at different times throughout the entire day. Spontaneity and flexibility of the teacher to vary the instructional program are greatly influenced by the number and nature of the special education pupils being served.

(3) Special education teachers have difficulty preparing IEPs for pupils they do not know.

Teachers were first required to write IEPs during the 1977-78 school year. They were already familiar with the pupils, had attended ERD committee meetings, and knew the available service options in their building. The 1978-79 school year provided an additional experience with IEPs which was somewhat unexpected. Pupils would be moving from elementary schools into middle/junior high schools with their IEP (the annual evaluation in the spring required that the IEP be updated for the start of the subsequent school year). Many middle school teachers could not implement the IEP as written by the elementary school teachers for several reasons: the IEP was not compatible with service available in the middle school, the materials referenced were not used at the middle school level, background information contained on the IEP did not include enough detail. Teachers receiving pupils from other buildings found they had to rewrite IEPs to fit their own service offering and to be responsive to what was actually contained in the IEP. The effort to rewrite IEPs further required detailed breakdown on pupil test scores so that teachers of math, for example, would know on what specific area to focus the extra exposure. Subtest scores were not included on the original IEPs and necessitated middle school teachers contacting the feeder school for this information. There was little or no delay in pupils receiving service, even though the rewritten IEPs required parent approval again. This problem, with IEPs not being compatible with middle school special education service offerings, was limited to certain feeder schools in the district. When this became apparent, some of the middle school teachers discussed the problems they were having with elementary school staff in order to improve future IEP writing efforts for transition pupils.

District officials revised IEP procedures in the middle of the 1978-79 school year to present this problem from occurring in the future. The sending school is now responsible for completing only part of the IEP (i.e., academic progress, long-term objectives, and functioning level). The receiving school

must complete the short-term objectives and evaluative criteria within a specified period after the pupil starts the new school year. The sending school is responsible for obtaining parent approval of the new IEP which has a statement describing the receiving school's responsibility. Parents may sign the IEP in the fall after the receiving school has completed its part of the IEP, if they prefer.

(4) IEP developmental requirements increases teacher workload.

Special education teachers have been assigned the responsibility for preparing IEPs; this has increased their workload a number of ways. They must assist in compiling referral information prior to the ERD meeting, they must attend the ERD meeting for the referrals which have been assigned them, they must develop the IEP if the ERD committee recommends placement, they must confer with regular classroom teachers who have or will have mainstreamed pupils, they must attend ERD meetings when a special education pupil is referred for a service change or to be returned to the regular education program, and they must meet with parents to review, modify, and finalize each individual IEP. Experience gained during 1977-78 and increased familiarity with the processes involved, has reduced the typical IEP preparation time from six hours to 1-3 hours. However, during the 1978-79 school year these teachers still had to utilize all or most of their planning time, lunch time, and free time in the IEP process. Many took paperwork home, others asked parents to come to the school building to help with pupil testing, and one teacher took pupils home with her to test them (with parent permission).

6. Due Process/Parent Involvement

a) Due Process/Parent Involvement Process

Because of the school district's involvmeent in a previous court suit, the county is very conscious about being in compliance with all due process regulations. When a child is initially referred for testing, parents are informed immediately of the referral, parent consent is obtained for the release of any available school and medical records, and parent permission is obtained to conduct individualized testing. Parents are informed of the ERD committee meetings, although they are not necessarily invited and few attend. The county has gone to great

lengths to encourage parents to attend the IEP conferences and scheduled reviews of placement decisions are done in a timely manner. Parents are notified of their rights at appropriate times as required by the law and are given a copy of local due process procedures.

While the district is very conscious of due process regulations, it does not encourage hearings and appeal procedures with parents. Teachers are not generally aware that they can request a hearing under certain circumstances. The district relies heavily on State guidelines and has not encouraged any legal action, even though it may be clearly defined and outlined in the guidelines. When parents sign the IEP, they must also sign a statement on the IEP that they have received a copy of the local hearing procedures.

There have been no local hearings in the district since the law was implemented. The district tries to avoid hearings and attempts to work out a satisfactory solution with the parents involved without going through an appeal process.

b) Due Process/Parent Involvement Consequences

There are two consequences in District C.3 related to parent involvement/ due process:

(1) Amount of parent involvement varies widely.

The requirements for parent involvement have been identified in the Special Education Administrative Handbook and implemented at the building level. There are at least nine documents which the parents of a newly referred child might receive during the first year in the special education program. Signatures are required on four of these documents and in only one instance must the parent actually visit the school to confer with special education staff (IEP approval). Administrators interviewed during both the 1977-78 and 1978-79 school years indicated that parent involvement varies widely as a result of the new requirements. Parents who were actively involved in the past continue to function in the same manner; possible even more so now that they are aware of the law. Most new parent contacts occurred when the procedures were first implemented. Building principals and special education central office staff received many telephone calls for information about why parents were suddenly receiving mail about the special education program. Was their child in trouble?

Would special education programs change? Why were signatures required now? Was it really necessary that they come to the school for a conference? These are examples of the questions asked by parents. There was little new interest in special education programs after the initial round of questions and answers with parents. School staff interviewed during the study period said they did not believe that parents were any more interested in their child's special education program than in the past. Many parents told building staff they wanted the school to decide what was best for their child. Some parents were said to have voiced concern that there was increased stigma because of the additional attention special education was receiving and, therefore, they would not visit the school. Many building staff commented that most parents from low income areas have a general fear of the school building and are not comfortable when they are confronted with procedural changes and new requirements.

(2) Parental involvement is not encouraged by building staff in 1978-79 as much as it was the previous year.

During the 1977-78 school year, district officials encouraged parents to participate in their child's special education program, especially in exercising their due process rights. They were requested to come to the school to sign forms, to participate in the ERD committee meetings, to develop IEPs, and otherwise confer with special education staff on matters related to their child's program. Early staff experiences with parents proved time-consuming and difficult to manage. Parents who came into the school to sign permission forms asked many questions and consumed time of the building administration. Many were confused and did not understand why they had to leave their job to visit the school. Parent attendance at ERD committee meetings often increased the time it took to process an individual child and confused the parent more. During the IEP development process most parents could not contribute, had no knowledge of skills or services needed, found it difficult to analyze alternatives, and otherwise increased the difficulty staff were having in the implementation of this new requirement. Parents often would not come to the school willingly, did not exhibit much interest when they got there, and in many instances were handicapped themselves. In response to this, district officials and building administrators did not provide as much encouragement to parents during the 1978-79 school year and modified their procedures when dealing with parents. Due process procedures

were not changed; the change was in the emphasis. For example, permission forms for assessment could be mailed back to the school, instead of parents being encouraged to bring them in. Parents were informed of their rights to attend ERD committee meetings but were not formally invited. IEPs were prepared in draft form for review, modification, and approval prior to meeting with parents. All parent conferences were maintained on a tighter schedule to utilize staff time more effectively. Building-level administrators and staff like this change in emphasis and there have been no complaints from parents.

B. GENERAL CONSEQUENCES

There were a number of consequences observed which did not necessarily apply to an assurance required by P.L. 94-142. These consequences were considered to be of a more general nature and, in many cases, actually influenced all the assurances. In District C.3 there were eight consequences which fell into this category:

(1) Role of special education teachers has changed.

Increased demands upon staff time as a result of the law have been experienced by both the regular classroom teacher and the special education teacher. However, the newly implemented requirements focus more directly upon the special education teacher and include an additional level of responsibility not previously required. Completion of additional forms is but one aspect of this change in the special education teacher's role. They must now attend more meetings, assist in the evaluation of referrals and the related placement recommendations, prepare IEPs for individual pupils, confer with parents on at least an annual basis, and provide additional assistance to regular education teachers who now have special education pupils in their classrooms. Overall, the special education teacher's role is becoming more that of a manager or expeditor than it was a few years ago when the role was mainly one of a teacher. In many of the schools visited, it was indicated that special education teachers could often delegate some of their instructional activities to an aide so they could attend meetings, write reports, and work with the regular teachers more. This emerging role change appears to be one of managing paperwork and time. There is little additional time available during the day to complete many of the extra responsibilities which increase the

need for the time management function. By not beginning resource room instruction until Octover or early November, some special education teachers were able to complete required paperwork including the preparation of IEPs. An alternative to this was to take the paperwork home and complete it evenings or weekends. Other special education teachers found that by reducing instruction one hour per day they could obtain additional time needed for additional responsibilities. These particular actions have not become district policy nor is it known whether they will continue. They do, however, provide examples of strategies utilized for coping with increased duties of a noninstructional nature which have been experienced by most special education teachers.

(2) Continuous process of initiating change at all levels is dissipating staff energies.

Administrative officials interviewed were emphatic in their concern about the considerable change and worry experienced at all levels in meeting the new requirements. Compliance with the law received major attention at higher levels of administration while others attempted to solve procedural problems and reduce interference with normal educational processes. Beginning in 1977-78 and continuing into the 1978-79 school year, administrators focussed on keeping appropriate records. Many felt there was a duplication of information when recording data for the new referral/evaluation/placement/review process. Teachers' activities have changed in each of these years as responsibilities have changed or increased. Concern was expressed that administration did not know initially if new progreams were any good; there were no standards by which to compare. Rewriting procedures as they needed modification required considerable effort and continuing liaison to reduce the amount of staff discouragement at the building level. Central office administrators are hopeful that familiarization with new requirements and a general settling-down to more routine type activities will reduce the dissruption of staff necessary to initiate change. It is recognized that responsibilities will never return to the level they were prior to the law, but it is hoped they will not remain at the level of anxiety experienced thus far.

(3) Law has resulted in reorganization and shifting of personnel.

New requirements have influenced a number of changes within the district's organizational structure. Speech therapists were moved from the pupil services

area to the special education office. The number of special education personnel increased and many job descriptions were rewritten to reflect new responsibilities. New procedures were developed and old ones revised or dropped. This increased the need for operational effectiveness across organizational lines of authority. Expanded program offerings in terms of more resource and self-contained rooms required reorganization at the building level and reassignment of instructional staff. These impacts were felt in all buildings by almost all teachers and counselors.

(4) District administration does not know what to anticipate if there is a future requirement to serve private schools.

District policy has been to serve the special education needs of private school pupils provided they enter the public school system. Officials do not know what the impact will be upon the local budget if there is a future requirement to serve special education needs in private schools. Current requirements of the law have had a tremendous impact upon the budget and the related procedures for its preparation and approval. District officials anticipate that any additional requirement to serve private schools will be a costly experience. Current experience with private schools leads local officials to believe that a sharing arrangement in special education would result in lost funds. It would also require some organizational changes, necessitate hiring additional staff, and increase communications problems which already exist with a few of the private schools. This situation is especially worrisome to officials because the county has a large number of private school pupils who reside in neighboring counties. Any requirement to serve nonresidents would have to accommodate local concerns before becoming an accepted practice.

(5) Special education attitude/philosophy of secondary schools is different from elementary schools.

Basic differences in operational practices and instructional methodologies between secondary and elementary schools were also evident in special education matters. Interviews with teachers and principals at both levels revealed different perspectives in working with pupils in special education. Elementary teachers usually have a child in their classroom for most of the day. It is easier to serve pupils with an IEP in this setting because one teacher is responsible for all daily activities. Individualized instruction and ability grouping are

relatively easy to implement, subject matter can be reordered quickly, and schedule changes can many times be implemented at the last minute. At the secondary level teachers specialize more and are academically oriented to their subject matter area. For example, English teachers are concerned about the needs of their entire class and the pace it must maintain to complete a particular text within the school year. A special education pupil has difficulty, many times, in maintaining this pace. Several of the teachers interviewed at this level felt the placement of special education pupils in the regular classroom was a burden on their daily regimen and was somewhat unfair to the pupils who could maintain the pace. The use of resource and modified self-contained rooms seemed to alleviate this condition and was highly regarded by regular classroom teachers at the secondary level.

(6) School district began to obtain medical related personnel services on a contract basis.

Beginning in the 1977-78 school year, district officials employed a registered nurse at the special education center where severely and profoundly handicapped pupils receive their instruction and related services. An arrangement was worked out with the county health department to assist in the supervision of medical matters. During the 1978-79 school year the Board also worked out an additional contract arrangement whereby the health department would provide the services of a full-time physical therapist to the district. This practice has not been utilized in the past. The close working relationship experienced in the past between the Board and the health deparment makes this a desirable working relationship. The district's need for medical services on specific handicapping conditions can be met without the need for district administrators supervising medical areas. Both the Board and the health department are pleased with these new arrangements.

(7) Advocacy groups are increasing the workload of district personnel.

Prior to the law, local advocacy groups contacted district administrators on a limited basis in matters usually relating to the service needs of an individual member's children. Since the law was first published in the Federal Register, these same groups have increased their contacts with district administrators. They continue to attend Board meetings and local hearings on special

education matters and make individual presentations. In addition, they now advise parents to request a full assessment when their child is referred for special education, they encourage them to become familiar with their rights and to exercise them to the fullest extent, and they offer their help to parents of children already in special education. There have been increased parent contacts with district administrators at all levels to seek information on their child, to inquire about expanded program offerings, to request additional services, and to schedule conferences with the special education teachers. District officials agree that the local advocacy groups are more active within the district, but do not yet know the amount of time/money it is costing the district. District policy is to respond to requests as well as possible and to avoid any open confrontations.

(8) Reimbursements for special education services are being requested by neighboring school districts but not by health department or social services agency.

Interviews with district officials revealed that several neighboring school districts have invoiced District C.3 for special education services they are currently providing for C.3 pupils placed in their jurisdictions by the county and other social service agencies. This type of request for reimbursement had not been received prior to the 1977-78 school year. The School Board reviewed its policy on this matter and in July 1978 adopted a resolution, which was previously not implemented, to invoice other school districts who have pupils placed in District C.3 for the special education services they are receiving.

Interviews with administrators of the county agencies providing health and social services revealed their interest in continuing the current working relationships of exchanging services with the school district rather than charging fees. The social services agency plans to continue to assist in special education matters as in the past, even though the level of effort is somewhat higher. In return, several district personnel with specialty area training will participate in the social services advisory committee meetings. The health department continues to provide school nurses, many who now have increased duties because of special education requirements, while the district makes space available in school buildings and purchases some consumable supplies.